

John Doe, plaintiff, against Richard Roe, defendant. You, A. B. and C. D. do jointly and severally acknowledge yourselves special bail for the said Richard Roe, at the suit of the said John Doe, in an action of debt brought by the said John Doe against the said Richard Roe, in the general court. They acknowledge themselves to be content therewith, this — day of —, before —. To the honourable the judges of the general court. Varying nevertheless the said form, according as the nature of the action may require; and that the said recognizance shall have the same force and effect as any recognizance of bail acknowledged and taken in open court.

Justices to
examine,
&c.

SEC. 5. *And be it further enacted*, That the judge or justices by and before whom any such recognizance of bail shall be taken and acknowledged, shall and they are hereby required, carefully to examine into the circumstances and sufficiency of the bail so to be taken as aforesaid, and to be careful that they do not take any recognizance of bail of persons that shall not appear to them to have sufficient estate within this state to answer the same at the time of taking and acknowledging thereof; provided that nothing herein shall be construed to abridge or take away the power of the justices of the general or county courts within this state to make rules and orders for the justifying bails and making the same absolute, or to examine the sureties upon oath, touching the value of their estates, as by the said recited act they are required to do.

Plaintiff
may issue
execution,
&c.

SEC. 6. *And be it also enacted*, That upon any judgment hereafter to be rendered upon any recognizance of bail, it shall and may be lawful for the plaintiff or plaintiffs therein to issue execution against the body, goods or chattels, lands or tenements, of the defendant, as if the said judgment were for his own proper debt, any law, usage or custom, to the contrary thereof in anywise notwithstanding.

Execution
may issue
on any
judgment,
&c.

SEC. 7. *And be it enacted and declared*, That execution may be issued on any judgment rendered in the provincial court, or rendered or to be rendered in the general court, or in any county court of this state, with stay of execution, at any time within one year next after the expiration of such stay; provided that the stay of execution be entered upon the clerk of the court his docket, at the same court when the judgment shall be rendered; and also after the dissolution of any injunction of or from the court of chancery, or the discharge or expiration of any supersedeas, on appeal, or any writ of error, at any time within one year after dissolution of such injunction or discharge, or expiration of such supersedeas.

The time is elongated to three years from the date of the judgment, by 1823, ch. 194.

SEC. 8. *And be it further enacted*, That if any cause, instituted, or hereafter to be instituted, in any of the courts of this