

and belonging to the party or parties paying the
same shall be the Quantity then is due to the Plaintiff
as aforesaid then and in every such case the Owner or Owners
of such Tonnage shall take out of the Overplus of such Tonnage
and the Hoghead with the remaining part shall belong
to such Plaintiff receiving the same. And whereas
many litigious persons have and for the future may continue
actions of Treppas upon the Case rather out of Spite and
Malice than any real cause of Action and altho' they
set out Verbs in the Original with the cause of Substitution
yet lay their damage to a vast sume to deter persons
from being bayle for prevention whereof for the
future

Be it Enacted by the Authority aforesaid &
Consent aforesaid that in all actions of Treppas upon the Case
where Damages are laid to be above four thousand
pounds of Tonnage if no Diligence be set out in the writ
expressing the true cause of Action the Sheriffs shall
not require bail bond exceeding the sume of eight
thousand pounds of Tonnage all the Damages to be marked
on the writ for any greater sume whatsoever and any
Sheriff offending herein shall forfeit the sume of four
thousand pounds of Tonnage the one halfe thereof to his
Majesty his heirs and Successors for the support of Govern-
ment the other halfe to the party grieved to be recovered
in any Court of Record of this Province by Action of Debt