

Without being liable to escape.

On pain of false Imprisonment

make Report thereof, and if it happen the Tobacco is found, merchantable and of such Weight, to discharge the whole Sum mentioned in the Execution, then shall the said Justice give Notice to the Sheriff, in Writing, under the Hand of such Justice, by the Agent of such Prisoner, that except such Sheriff come and shew good Cause to the contrary, that the said Justice will cause the said Tobacco to be mark'd on the Creditors Risque, and if Cause be not shewed within Forty Eight Hours after the Date and Service of such Writing, which shall be dated on or at a certain Hour of a certain Day, that then the Justice shall cause the said Tobacco to be mark'd and number'd, and shall send the Sheriff a Certificate of the Mark, Number, Weight and Place where such Tobacco lies on the Creditors Account; and in case the Prisoner is not in his Custody on any other Account, he shall suffer him (paying or giving Security for his Fees) to go at large, and shall not be answerable upon any Action of Escape; and if after this, the Sheriff detains the Prisoner any longer in Prison, such detaining shall be adjudged *false Imprisonment*.

An ACT for regulating Writs of Error, and granting Appeals from and to the Courts of Common Law, within this Province. (As Supplementary Act made 10th July 1729)

'Tis necessary to correct our Errors.

FORASMUCH as the Liberty of Appeals and Writs of Error, from the Judgment of the Provincial and County Courts of this Province, is found to be of great Use and Benefit to the Good of the People thereof,

But no Execution to be stay'd by any Appeal or Writ of Error,

Be it Enacted, by the Queen's most Excellent Majesty, by and with the Advice and Consent of Her Majesty's President and Council of Assembly of this Province, and the Authority of the same, That no Execution upon any Judgment obtained either in the Provincial Courts, or other inferior Courts of Record, within this Province, shall be stay'd or delayed, or any Superedeas upon such Judgment granted or issued forth, upon any Appeal or Writ of Error from any such Court or Courts of Record as aforesaid, to the Court before whom such Appeal ought to be brought, or before whom such Writ of Error ought to be heard and determined, unless such Person or Persons in whose Name such Appeal or Writ of Error shall be made or brought, as aforesaid, or some other, in his, her or their Behalf, shall immediately upon making such Appeal, or suing out such Writ of Error, as aforesaid, enter into Bond, with sufficient Sureties, (such as the Justices of the Court by whom Judgment shall be given as aforesaid, or the Keeper of the Seal for the Time being, to whom Application shall be made for such Writ of Error, as aforesaid) shall approve of, in double the Sum recovered by such Judgment obtained as aforesaid, with Condition, " That if the Party

Without giving sufficient Security,

In double the Sum, to prosecute the same with Effect.

Or pay Debt and Costs.

" Appellant, or Party suing out such Writ of Error as aforesaid, shall
 " not pursue the Directions of this Act hereafter mentioned, at the
 " next Court ensuing, before whom such Appeal or Writ of Error
 " ought to be tried, as aforesaid, and prosecute the same Writ with
 " Effect; and also satisfy and pay to the said Party, his Executors, Administrators or Assigns, in case the said Judgment shall be affirmed,
 " as well all and singular the Debts, Damages and Costs adjudged by
 " the Court before whom such Action was first brought, and from
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