

two or more Defendants residing in one County, paying only one Fee for the same, and may at his Election, declare against them in one or more Declarations, as he shall think fit.

WHERE any Person is arrested on any Writ issuing out of the Provincial Court, he may give Special Bail to such Action before the President or any two of the Justices of the County Court, where he shall be arrested, such as they shall approve of; which Bail so taken, shall be delivered to the Sheriff, to be by him returned to the Provincial Court, and the Defendant need not appear in Person, but by Attorney if he thinks fit.

It is Provided that this Act, or any thing therein contained, shall not extend to the Benefit or Advantage of any Person or Persons, that shall abscond or fly from Justice, in the County where they live, but they may be arrested in any County where they shall be found.

THIS Act is declared to continue for Three Years &c. and is thereafter from time to time continued till the Year 1728, when the following Supplementary Act passed.

Passed October 2 } Supplementary ACT to the above  
3d, 1728. } Act.

IT shall not be lawful for any Person whatsoever, to cause any Inhabitant of the Province to be arrested out of the County where he or she doth reside, by Virtue of any *Capias ad Respondendum* or *Capias ad Satisficiendum* for any Debt, Damages or Costs, until the Sheriff or Coroner of the County, where such Defendant resides, shall have returned a *Non est Inventus*, on a *Capias ad Respondendum* or *ad Satisficiendum*, issued at the Request of the said Person, against such Defendant.

IF any Person be arrested contrary to the Intent of this Act, the Plaintiff shall suffer a Non Suit, and pay Costs and Damages, to be adjudged by the Court whence the Process issued; and if any Person, contrary to the Intent of this Act, be taken in Execution, the Justices of the Court, whence the Process issued, shall discharge him, and in a summary Way adjudge him his Costs and Charges, and cause the same to be discounted out of the Plaintiff's Judgment obtained against the Defendant.

No Person absconding, is to have the Benefit of this Act, which is declared to continue (as also the above original Act) for Three Years &c. and both Acts are from time to time continued till April 8th, 1757 when they are continued for Three Years, and to the End of the next Session of Assembly thereafter.

N. B. THE Clauses in this Supplementary Act relative and supplementary to the Act for stay of Execution, are not herein insert, but are abridged in their proper Place, after the Act they relate to.