

back into the County where arrested, and there in safe Custody kept, till he find such Special Bail.

AND it shall and may be lawful for one of the Justices of the Provincial Court or for the President or any two of the Justices of the County Court, to take and receive his Recognizance of Bail, which Recognizance required to be taken, as well before, as after the Return of the Writ, shall be in manner and form following, viz.

John Doe, Plaintiff, against Richard Roe, Defendant.

YOU A. B. C. D, and either of you, do undertake for the said Richard Roe Defendant, in-----, to be levied on you, and either of your Lands and Tenements, Goods and Chattels, to the Use of the said John Doe the Plaintiff, upon Condition, that if the said John Doe do obtain Judgment in an Action of---, depending in the Provincial Court, against the said Richard Roe the Defendant, that then, the said Richard Roe shall pay the Condemnation of the Court thereupon, or deliver himself to the Custody of the Sheriff of the County of---, in Satisfaction thereof, or you or one of you will do it for him, they acknowledge themselves to be content therewith, this--- Day of-----before me

To the Honourable the Justices of the Provincial Court.

WHICH Recognizance so taken shall be transmitted to the Provincial Court, with a Warrant of Attorney, directed to any of the Attornies of the Provincial Court, to appear for the Defendant, and which Recognizance the Court shall receive upon an Appearance entered for the Defendant, pursuant to such Warrant, (saving the Fees of the several Officers for taking Special Bail,) and shall be of equal Force, as if taken *de bene esse*, before the Justices in open Court during their sitting. For taking each Recognizance of Bail, the Justice of the Provincial Court or the President or two Justices of the County Court, before whom acknowledged, shall receive of Fee *Five Shillings*, and no more: They shall also be empowered to examine the Sureties on Oath, touching the Value of their Estates, for their greater Satisfaction.

ANY Justice or Justices of any County Court, upon Application to them made, shall and may take any Special Bail to any Action bro't in the County Court, according to the Rules and in the same Manner as directed to be taken to any Action brought in the Provincial Court; and the Bail so by them taken shall be as effectual; for taking which they shall have of Fee *Two Shillings and Six Pence*, and no more.

Passed October }
2d, 1753. } ACT for regulating Judicial Proceedings, in taking Bail in Actions of Trover, &c.

IN all Actions of Trover and Conversion and Actions of Detinue, to be commenced in any of the Courts of the Province, it shall and may be lawful for the Justices of the Court, in which commenced or such