

where any two parties to such bond reside in the same county, one writ only shall issue to such county, including both the defendants names, and the fees thereon, shall be chargeable as one suit only.—*ibid.* § 9.

4. This act shall not extend to any action or suit where the plaintiff shall direct his attorney to commence several actions; or where a titling shall be sent to the office for suing of several writs to the same bond.—*ibid.* § 10.

See *Administration bonds. Administrators, 16.—Advancement of justice, 5, 9.—Appeals, 1, 16, 17.—Attornies, 8, 12.—Bankrupts, 3, 5.—Chancellor, 10, 16, 18, 49.—County courts, 36.—Guardians, 2, 3.—Insolvent debtors, 4, 10.—Injunctions, 1.—Judgment bonds, 1.—Lost certificates, 2.—Loans. Limitation of actions, 6.—Replevin, 14.—Usury, 2.—Wills, 1.—Writs of error, 1.*

B O N D S P U B L I C.

1. **A**LL bonds, taken in the name of any president of convention, council of safety, or of any other person or persons, for the use of this state, shall be transmitted as soon as possible to the clerk of the county where the principal and the security reside, or if the principal has departed this state, to the clerk of the county where the security may reside, and thereupon *scire facias* shall issue in the name of this state against the obligors in the bonds, alledging a breach of every part of the condition, and requiring the defendants to shew cause why judgment and execution should not be had for the penalty, and the defendant appearing shall plead the general issue, and trial shall be had the first court, unless for special reasons the court shall grant one imparlance, and if two *nibils* shall be returned, judgment of execution shall be rendered.—*Oct. 1777. c. 20. § 26.*

2. Any person or persons, who are or may be interested in administration, testamentary, sheriffs, and other public bonds, may obtain copy or copies thereof, and sue in his, her or their own name or names, for the penalty of such bonds, in which suits it shall be sufficient to declare that such bond or bonds were made and passed to the obligee in such bonds named, whereby action accrued to the party suing the same, to have and demand from the obligor or obligors therein mentioned, the penalty in such bond mentioned, and such proceeding shall be had thereon as will bring the matter in dispute between the parties fairly to issue, and judgment shall be given for the sum justly due to the plaintiff.—*Oct. 1778. c. 20. § 2.*

3. All suits now depending upon such bonds, shall be proceeded on to judgment and execution, in the name or names of the plaintiff or plaintiffs in the original writs mentioned.—*ibid.* § 3.

4. Officers