

Such offence the one half thereof to her maj^{ty} her heirs and successors for the support of the government of this province and the other half thereof to the party grieved to be recovered in any Court of record of this province by action of debt bill plaint or information wherein no special protection or wager of law to be allowed.

And whereas many litigious persons have and for the future may commence actions of trespass upon the case rather out of spleen and malice than any real cause of action and not setting forth in the original writ the cause of such action and yet lay damage to a vast sum to deter persons from being bailed for prevention whereof for the future.

Be it enacted by the authority advice and consent aforesaid that in all actions of trespass upon the case where damages are said to be above four thousand pounds of tobacco if no declaration be sent wth the writ expressing the true cause of action the sheriff shall not require a bail bond exceeding the sum of eight thousand pounds of tobacco although the damages be said in the writ for any greater sum whatsoever and any sheriff offending herein shall forfeit the sum of four thousand pounds of tobacco, the one half thereof to her maj^{ty} her heirs and successors for the support of government the other half to the party grieved to be recovered in any Court of record of this province by action of debt bill plaint or information wherein no special protection or wager of law to be allowed.

And to the end that publick creditors may be speedily satisfied their debts due from the publick Be it Enacted by the authority advice and consent aforesaid that every publick creditor within this province shall be at his election to make application to the governour of this province for the time being to put such sheriff bonds or bonds in suit or otherwise may immediately have an action of debt ag^t such sheriff in the County where the fact ariseth for such publick tobacco as shall be due to such creditor, and to the end that no Officer or other person may be surprized or unjustly molested either upon the account of paym^t or collection of publick dues.

Be it likewise Enacted by the authority aforesaid by and with the advice and consent aforesaid that any person or persons having publick tobacco due to them or fees in any sheriff's hands to collect and that do not signify to such sheriff or sheriff their dependance and resolution of making use of the same on or before the twenty fifth day of December in the year the same shall be due to him or them shall not have take or demand any benefit or Advantage.