

tobacco which shall weigh more than such Levy or Levies or dues
 as aforesaid shall amount unto if the remaining part due to the Party
 or parties from whom they shall receive such Levy or Levies or
 dues aforesaid be the greater Quantity then and in every such Case the Sheriff
 or sheriffs shall take out of the hogshead such Quantity or
 Quantities of tobacco due to him for such Levy or Levies or dues as
 aforesaid and the said hogshead and the remaining part of the tob.
 shall be and remain with the Party or parties paying the same
 But if the remaining part of such hogshead of tobacco so
 seized as aforesaid and belonging to the party or parties paying the
 same shall be the less Quantity than is due to the said Sheriff or
 Sheriffs as aforesaid then and in every such Case the owner or owners of
 such tobacco shall take out of the overplus of such tobacco and the
 hogshead with the remaining part shall belong to such Sheriff or
 Sheriffs receiving the same.

And whereas many litigious Persons have and for the future
 may commence actions of trespass upon the Case or other out of spite
 and malice then any real Cause of action and altho' they set not
 forth in the original writ the Cause of such action yet lay their
 damage to a vast sum to deter persons from being baile for proce-
 -tion 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 set
 with the writ expressing the true Cause of action the Sheriff shall not
 require a baile bond exceeding the sum of eight thousand pounds
 of tobacco altho' the damages be marked on 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 his Majesty his 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 spon. protection or wager of law be
 allowed. And to the end that Public Creditors may be speedily
 satisfied their debts due from the Public.

Be it enacted by the authority advice and Consent aforesaid that
 every public Creditor within this province shall be at law
 Election to make application to the Governour of this
 province for the time being to put such Sheriff bond or
 (bonds)