

V. And be it further Enacted, That instead of the Form of Recognizance of Bail, prescribed by the Act, entitled, *An Act for taking Special Bail in the several Counties in this Province, upon Actions or Suits depending in his Majesty's Provincial Court, and in the several County Courts of this Province,* the following Form shall be observed, and used, in all Actions to be commenced, from and after the Third Tuesday in October next, That is to say,

C H A P.
XXVIII.
Form of Recognizance of Bail to be observed, instead of one prescribed by a former Act.

John Doe, Plaintiff, against Richard Roe, Defendant.
You A. B. and C. D. do jointly and severally, acknowledge yourselves Special Bail for the said Richard Roe, at the Suit of the said John Doe, in an Action of Debt, brought by the said John Doe, against the said Richard Roe, in the Provincial Court. They acknowledge themselves to be content therewith, this
Day of before
To the Honourable the Justices of the Provincial Court.

Varying nevertheless the said Form, according as the Nature of the Action may require; and, that the said Recognizance shall have the same Force and Effect, as any Recognizance of Bail, acknowledged and taken in open Court.

VI. And be it further Enacted, That the Justice, or Justices, by, and before whom, any such Recognizance of Bail shall be taken and acknowledged, shall, and they are hereby required, carefully to examine into the Circumstances and Sufficiency of the Bail, so to be taken, as aforesaid, and to be careful that they do not take any Recognizance of Bail, of Persons that shall not appear to them to have sufficient Estate, within this Province, to answer the same at the Time of taking and acknowledging thereof. Provided, That nothing herein, shall be construed to abridge, or take away, the Power of the Justices of the Provincial or County Courts, within this Province, to make Rules and Orders for the justifying Bails, and making the same absolute, or to examine the Sureties, upon Oath, touching the Value of their Estates, as by the said recited Act they are requested to do.

The Justice, or Justices, before whom it shall be taken, to examine into the Circumstances of the Bail, that they be of sufficient Estate, &c.

VII. And be it also Enacted, That upon any Judgment, hereafter to be rendered upon any Recognizance of Bail, it shall and may be lawful for the Plaintiff, or Plaintiffs therein, to issue Execution against the Body, Goods, or Chattels, Lands, or Tenements, of the Defendant, as if the said Judgment were for his own proper Debt; any Law, Usage, or Custom, to the contrary thereof, in any wise, notwithstanding.

Any Judgment hereafter to be rendered upon any Recognizance of Bail, the Plaintiff may issue Execution, &c.

VIII. And be it Enacted, and Declared, That Execution may be issued on any Judgment rendered, or to be rendered, in the Provincial Court, or in any County Court of this Province, with Stay of Execution, at any Time within Twelve Months next after the Expiration of such Stay, Provided, That the Stay of Execution be entered upon the Clerk of the Court, his Docket, at the same Court, when the Judgment shall be rendered; and also after the Dissolution of any Injunction of, or from the Court of Chancery, or the Discharge or Expiration of any Superfedeas, on Appeal, or any Writ of Error, at any Time within Twelve Months after Dissolution of such Injunction, or Discharge, or Expiration of such Superfedeas.

Judgments, rendered with Stay, if entered the same Court, on the Clerk's Docket, Execution may issue at any Time, within Twelve Months after the Expiration of such Stay, &c.

IX. And be it further Enacted, That if any Cause, instituted, or hereafter to be instituted, in any of the Courts of this Province, shall, by Rule of Court, and by the Consent and Agreement of the Parties thereto, be submitted and referred to the Award and Arbitrament of any Person, or Persons, it shall and may be lawful, to, and for such Court, to give Judgment upon the Award of the Person, or Persons, to whom such Submission and Reference shall be made, as of the Court to which such Award shall be returned; and to award Execution thereon, in the same Manner as they might do upon Verdict, Confession, or Non-suit; and that such Judgment shall

Causes referred by Rule of Court, &c. Judgment to be entered on the Award, and Execution may be issued thereon, &c.