

And in order to prevent needless and vexatious Arrests and Imprisonments of H. s Majesty's Subjects, Freeholders and Inhabitants of this Province, for any Sum under Ten Pounds.

Be it enacted by the Authority aforesaid, That no Person or Persons whatsoever who now is, are, or hereafter may be a Freeholder and Inhabitant, or Freeholders and Inhabitants in this Province, and whose Freehold is free from Incumbrances, shall be arrested, imprisoned, or held to Bail, or his or their Goods, Chattels, or Estate attached, unless the Plaintiff in such Action shall make and subscribe an Affidavit in Writing, before a Judge of the Court or the Clerk of the Court, from whence such Writ shall issue, (who is hereby impowered to administer the same) that the Defendant is justly indebted to the Plaintiff in the Sum of Ten Pounds or upwards, according to the present Rate of Currency in Halifax; which Affidavit shall be filed in the Office of the said Clerk, in the Form following, viz.

*In the Court of Common-Pleas, in the
" Majesty's Reign.*

Year of His

" A. B. - - - - - Plaintiff
against

against

" C. D. - - - - - Defendant,

" A. B. the Plaintiff in the above Cause maketh Oath, That C. D. the
 " Defendant in the said Cause, is justly indebted to him this Deponent in
 " the Sum of - - - - (mentioning in Words at Length how the Debt
 " or Demand arises) and that he this Deponent hath not received any Part
 " thereof. A. B.

A. B.

“ Sworn at Halifax, in the
“ Province of Nova-Scotia,
“ This Day of 17
“ before me, -

And if such Action shall be brought by any Agent, Factor, or Attorney, in the Name of his Principal, if absent, upon producing an Affidavit of such Debt, of his Principal, duly authenticated according to the Laws of *England*, or the Usage and Practice of the Plantations in such Cases, or if such Principal be in any Part of the Province, remote from the Courts, upon producing an Affidavit taken as aforesaid, before a Justice of the Peace, and upon the said Affidavits being respectively filed as aforesaid, then the said Judge, or Clerk of the said Court, shall direct Bail to be taken in the following Words, *viz.*

Take Bail for - - - - - (expressing the Sum in Words at Length),
upon Affidavit of the Plaintiff filed according to the Law of this Province.
For which Sum, and no more, Bail shall be taken, or the Defendant's
Goods, Chattels, or Estates shall be attached.