

Defendant, shall have the Force and Effect of a *Specialty*; and the Court (wherein the Defendant shall be defaulted) is hereby impowered, upon the Plaintiff or his Attorney's filing such *Bill, Note, Settlement or Account, or Agreement*, with the Clerk of the Court, to make up *Judgment* without a Jury, as hath been heretofore practised.

And WHEREAS by the said Act it is further enacted, " That no Person or Persons who soever 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 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.

And WHEREAS altho' the Body of the Debtor may not be arrested, imprisoned, or held to Bail, for any Sum less than Ten Pounds, as by the said Clause is provided, yet it has been found prejudicial to the Creditors, their being restrained from attaching the Goods, Chattels, or Estate of the Debtor or Debtors, for any Sum or Demand under Ten Pounds, whereby great Frauds may be committed, by the Debtor conveying away or concealing his or her Estate and Effects, before Judgment can be rendered, and by Means thereof the Creditor may be defeated of Recovering any manner of Satisfaction for his or her Debt or Demand. In Order, therefore, to prevent the same,

Be it enacted by the Authority aforesaid, That in all Actions hereafter to be brought, when the Debt or Matter in Demand shall be of the Value of three Pounds or upwards, upon Affidavit in Writing being made and subscribed by the Plaintiff, or in Case of his or her Absence, then of his or her Attorney in Fact, Agent or Factor, setting forth that the Defendant in such Action is justly indebted to the Plaintiff, in the Sum of three Pounds or upwards, and the same being filed and the Writ marked as by the said Act is prescribed, it shall and may be lawful for the Provost Marshal of this Province, his Deputy, or other Person qualified to serve Writs, and they are hereby required, to attach the Goods, Chattels, or Estate of the Defendant or Defendants, any Thing in the said Act contained to the contrary notwithstanding.

And be it further enacted, That in all Actions hereafter to be brought in the Name of any Person absent from this Province, it shall and may be lawful for the Agent, Factor, or Attorney in Fact, of such Absentee, to make and subscribe an Affidavit in Writing, before a Judge of the Court or Clerk of the Court, from whence the Writ shall issue, (who is hereby impowered to administer the same) setting forth that the Defendant is justly indebted to the Plaintiff in the Sum of Ten Pounds or upwards, ac-

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