

justify himself or themselves; but the same may be, and is or are hereby directed to be determined by Affidavit or Affidavits duly taken before the said Commissioners, who are hereby impowered and required to take the same, and also to examine the Surities, upon Oath, touching the Value of their respective Estates, unless the Cognizor or Cognizors of such Bail do live within the Town of *Charlotte-Town*, or within fifteen Miles thereof.

Felony to personate  
Bail.

III. *And be it further enacted*, That any Person or Persons who shall, before any Person or Persons impowered by Virtue of this Act as aforesaid to take Bail or Bails, represent or personate any other Person or Persons, whereby the Person or Persons, so represented or personated, may be liable or subjected to the Payment any of Sum or Sums of Money, for Debt or Damages to be recovered in the same Suit or Actions, wherein such Person or Persons are represented and personated, as if they had really acknowledged and entered into the same, being lawfully convicted thereof, shall be adjudged, deemed, and taken to be Felons, and shall be sentenced to suffer the Pains of Death, and incur such Forfeitures and Penalties, as Felons in other Cases thereof duly convicted or attainted, do by the Laws of *England* lose and forfeit.

#### C A P. IX.

AN ACT to prevent the malicious Killing, Wounding, or Maiming of Cattle.

All Persons maliciously, &c. killing, any Horses, &c. shall forfeit to the Party injured treble Damages, &c.

**B**E it enacted by the Lieutenant Governor, Council and Assembly, That if any Person or Persons shall maliciously, unlawfully, and willingly kill, maim, wound, or otherwise hurt any Horses, Neat Cattle, Swine, Sheep, or other Cattle; every such Offender shall, on being duly convicted thereof in the Supreme Court of Judicature of this Island, be sentenced to forfeit and pay unto the Party injured, treble the Damage which he, she, or they shall sustain, and shall, besides, be sentenced to suffer *Ten Days* Imprisonment without Bail or Mainprise, and be confined from one to two o'clock in the Afternoon in the Stocks, each Day, (Sundays only excepted.)

#### C A P. X.

AN ACT to prevent unnecessary Expence and Delays in certain Actions wherein Judgments have passed by Default.

The Court impowered to assess Damages on Judgments by Default in all Actions wherein they were heretofore assessed at the Sheriff's Inquest.

**B**E it enacted by the Lieutenant Governor, Council, and Assembly, That from and after the Publication hereof, in all Actions wherein Judgment shall have passed by Default, and wherein the Damages were heretofore required by Law to be assessed at the Sheriff's Inquest, it shall be lawful for the Court in which such Judgments shall have been given, to assess the Damages in all such Actions, without the Aid or Assistance of a Jury; and which Assessment of Damages shall be, and the same is hereby declared to be, as good and effectual in the Law, as if the same had been taken at the Sheriff's Inquest.

Proviso.

II. *Provided nevertheless, and it is hereby further enacted by the authority aforesaid*, That this Act, nor any Thing therein contained, shall not extend, or be construed to extend, to deprive the Parties against whom such Judgment shall have been given, of his, or her Right of having such Damages assessed at the Sheriff's Inquest, if the said Right shall have been duly claimed by such Party, on Motion to the Court, at any Time during the Term in which such Default shall have been made.

Anno