

VII. *And be it further enacted by the authority aforesaid,* That all the Monies arising from the Sales of the Lands and Tenements of such Proprietors, shall be paid by the said Justices into the Public Treasury of this Island, within *Ten Days* after they shall have received the same, and be afterwards applied towards making and repairing the High-Roads and Bridges within this Island.

Application of Money arising from the Sale of Lands, &c.

VIII. *Provided,* That Nothing herein contained shall have any Force or Effect, until his Majesty's Pleasure shall be known.

Suspending Clause.

¶ This Act received His Majesty's Allowance, July 31, 1792.

C A P. VIII.

AN ACT for taking *Special Bail* in the Country, upon Actions depending in his Majesty's Supreme Court of this Province.

FOR the greater ease and Benefit of all Persons whatsoever, in making Oaths to their Debts, and in taking the Recognizances of Special Bails, upon all Actions and Suits depending, or to be depending, in his Majesty's Supreme Court of Judicature in this Province,

Preamble.

I. *Be it enacted by his Excellency the Lieutenant Governor, Council and Assembly,* That the Chief Justice of his Majesty's said Supreme Court of Judicature for the Time being, shall or may, by one or more Commission or Commissions, under the Seal of the said Court, from Time to Time, as need shall require, empower such and so many Persons, other than common Attornies and Solicitors, as he shall think fit and necessary, in each of the Counties within this Province, to administer an Oath, in Writing, to any Person, where it shall or may be necessary to hold any Defendant to Bail upon any Writ or Process issuing out of the said Court, and to mark such Writ for Bail accordingly; and also to take and receive all and every such Recognizance or Recognizances of Bail or Bails, as any Person or Persons shall be willing or desirous to acknowledge or make before any of the Persons, so empowered, in any Action or Suit depending, or hereafter to be depending in the said Court, in such Manner and Form, and by such Recognizance or Bail Piece, as the said Justices have heretofore used to take the same. Which said Oath, in Writing, and the said Recognizance or Recognizances of Bail or Bail Piece, so taken as aforesaid, shall be transmitted to the Chief Justice; who, upon Affidavit made of the due taking of the Recognizance of such Bail or Bail Piece, by some credible Person present at the taking thereof, shall receive the same upon Payment of a Fee of *Two Shillings*, and no more. Which said Oath and Recognizance of Bail, or Bail Piece, so taken and transmitted, shall be of the like Effect, as if the same were taken *de bene esse* before any of the Justices of the said Court: And for the administering of every such Oath, and marking such Writ as aforesaid, the said Commissioners shall receive the sum of *Two Shillings*, and no more: And for the taking every such Recognizance or Recognizances of Bail, or Bail Piece, the said Commissioners shall receive only the Sum or Fee of *Three Shillings*, and no more.

Chief Justice of Supreme Court empowered to appoint Commissioners to take Bail in the Country.

And also to receive the Bail Piece, &c. upon Affidavit made of due Execution.

His Fee.

Bail below to have the same Effect, as if taken *de bene esse*.

II. *And be it further enacted,* That the Chief Justice shall make such Rules and Orders for the justifying of such Bails, and making of the same absolute, as to him shall seem meet, so as the Cognizor or Cognizors of such Bail or Bails be not compelled to appear in Person in the said Court, to

Also: empowered to make Rules for the justifying of Bail.

justify