

shall take Bail or make Attachment as aforesaid, and for no more; any Law, Usage or Custom to the contrary notwithstanding.

II. *And be it further enacted*, That if such Action shall be brought by any Agent, Factor, or Attorney, in the name of his Principal, (he being absent) then, upon producing an Affidavit of the Debt of his Principal, duly authenticated according to the Laws of that part of *Great Britain* called England, or the Usage or Practice of His Majesty's other *Colonies* in such cases, and upon the Affidavit's being respectively filed as aforesaid, the Clerk of the said Court from whence any Writ in consequence thereof may issue shall indorse the Sum so sworn to; and Bail shall be required, or an Attachment may be made accordingly, as the Case may require.

If Plaintiff be absent, his Attorney may file his Affidavit,

on which the like Proceedings shall be had.

III. *And be it further enacted*, That when any Person shall be arrested by Virtue of any Writ or original Process, the Sheriff, Coroner, or either of their Deputies (as the case may be,) shall be obliged, and they are hereby respectively required, upon sufficient Bail being offered, to let such Defendant go at large, upon his first executing a Bond, with two sufficient Sureties, to the said Sheriff, or Coroner, with a Condition thereunder written for the due Appearance of the Defendant or Defendants on the first Day of the Court to which such Writ is or may be returnable; and if such Defendant shall not appear accordingly, and give in sufficient Bail to abide the final event of the Suit, Judgment shall then be entered against him by Default. And the Sheriff, or Coroner, shall then and there, in Court, upon the Request of the Plaintiff or his Attorney therefor, assign the Bail Bond, by indorsing his Name thereon, for the benefit of the Plaintiff, to be put in Suit, or otherwise to recover the Penalty thereof: Which Assignment shall not prevent the Plaintiff from proceeding to final Judgment and Execution in the same Court against the Defendant in the said Action, as in cases wherein

Upon Bail given, the Officer to let Defendant go at large.

If Defendant do not appear according to Condition of Bond, and give Bail to abide the final event of the Suit, Judgment to be entered against him by Default: and Bail Bond assigned.