

Province of }
NOVA-SCOTIA, } ff “ Inferior Court of Common-Pleas,

" " " " " " " " " " 17

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

" C. D. - - - - - *Defendant.*

" Bail E. F. of in the Province aforesaid, (Ad-
 " dition) and G. H. of (Addition) the Party Defendant
 " (if present) in Pounds, each of the Bail in Pounds
 " apiece.

“ The Condition of which Recognizance is, That the Defendant (if present) do acknowledge to owe unto the Plaintiff Pounds, and each of the Bail do severally acknowledge to owe unto the Plaintiff Pounds apiece, to be levied upon their several Goods and Chattels, Lands and Tenements, upon Condition that if the Defendant be condemned in the said Action, either in this Court, or in His Majesty's Supream Court of Judicature of this Province, upon Appeal thereof, he shall pay the Condemnation Money, or render himself a Prisoner in the Goal of Halifax for the same, and if he fails, the said E. F. and G. H. undertake to do it, for him.”

Upon acknowledging which Recognizance, the Defendant shall be admitted to plead to the Action by his Attorney, and Issue, either in Law or in Fact, shall be joined in one Day after acknowledging the Recognizance; and if upon the Trial of any such Issue, in any Case whatsoever, either of the Parties shall think himself aggrieved at the Sentence of the Court, they may, by Virtue of this Act, appeal to the next *Supream Court* of Judicature, and the said *Inferior Court* is hereby impowered to allow of the same, agreeable to the Ways heretofore used, in case of Appeal. But if, upon Trial of any Issue at Law upon Appeal, the *Supream Court*, notwithstanding the Plea in Bar or Abatement, shall adjudge the Writ to be good and well brought, the said *Supream Court* shall reverse the Judgment of the *Inferior Court*, and award to the Appellant the Sum of *Five Pounds* Costs, for his delay of Justice, over and above all other usual and needful Costs to be taxed by the said Court, to be immediately paid by the original Defendant or Appellee, or his Attorney who signed the Plea; and the next *Inferior Court of Common Pleas*, shall proceed to the Trial of the Merits of the Cause, upon the same Writ, without any further Delay, a new Entry thereof being made.

And be it further enacted by the Authority aforesaid, That whenever any Person shall be committed to Prison, by Virtue of any Original Writ, issuing out of the said *Inferior Court* as aforesaid, the Provost-Marshal or his Deputy, or other Person by this Act qualified to execute Writs, shall, at the same Time, serve such Prisoner or Prisoners, with a true Copy of such Writ or Writs, together with the Indorsement thereon. And the Plaintiff's Attorney on the Day after the filing the Declaration, with the Account or Instrument in Writing on which the Action is grounded, as in this Act prescribed, shall give Notice in Writing to such Defendant or Defendants, that a Declaration is filed against them in the Clerk's