

pearance of such Debtor, where the Demand shall be under the Sum of *Ten Pounds*, and where the Sum in Demand shall exceed the said Sum of *Ten Pounds*, That no Person in this Province shall be Imprisoned or held to Bail, unless the Plaintiff in such Action shall make and subscribe an *Affidavit* in Writing, before a Judge of the Court from whence the Writ shall Issue that the Defendant is justly indebted to the Plaintiff in the Sum of *Ten Pounds* or upwards, which *Affidavit* shall be filed in the Office of the Clerk of the Court from whence the Writ shall Issue, and the Sum specified in such *Affidavit* shall be indors'd on the Back of the said Writ, in the Form following. By Oath for £ , for which Sum so indors'd, the Provost-Marshal or his Deputy, shall take Bail and for no more.

And be it further enacted, That if such Action shall be brought by any Agent, Factor or Attorney, in the Name of his Principal if absent, upon producing an *Affidavit* of the Debt of his Principal duly authenticated according to the Laws of *England* or the Usage and practice of the Plantations in such Cases, or if such Principal be in any part of the Province remote from the Court, upon producing an *Affidavit* taken as aforesaid before a Justice of the Peace, and upon the said *Affidavits* being respectively filed as aforesaid, then the said Judge shall indorse the Sum so Sworn to; and Bail shall be requir'd accordingly.

And be it further enacted, That when any Person or Persons shall be arrested by Virtue of any Writ or Original Process, the Provost-Marshal or his Deputy shall be obliged and are hereby respectively required, upon sufficient Bail being offered to let such Defendant or Defendants go at large, upon his or their first executing a Bond with two Sufficient Sureties to the said Provost-Marshal, with a Condition thereunderwritten for the personal appearance only of the Defendant on the first day of the Court, to which such Writ is returnable, and if such Defendant shall not appear accordingly or give in sufficient Bail to abide the final event of the Suit, Judgment shall be entered against the Defendant by Default, and the Provost-Marshal shall then and there in Court, upon the request of the Plaintiff or his Attorney, assign the Bail Bond, by indorsing his Name thereon, for the Benefit of the Plaintiff, to be
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