

att the provinciall Court to procure such Speciall baile then C. P.
the said party shall be and remaine in the Custody of the same
Sher that Arrested him and by him in Safe custody kept
guarded & Carried back into the County where the Defend-
ant was Arrested and there in Safe Custody kept till he Can p. 161
procure such Speciall baile. And for the greater Ease of make-
ing and taking recognizances of such Speciall baile itt shall
and may be Lawfull for one of the Justices of the Provinciall
Court of this province or for the president or any two Justices
of the County Court to take and receive Every such recogniz-
ance of baile as any person or persons who shall bee deemed
by him or them Sufficient Sureties shall be willing or desirous
to Acknowledge or make before him or them in the County
in any Action or Suite Depending or hereafter to be depend-
ing in the said provinciall Court which recognizance soe re-
quired to be taken as well before as after the returne of the
writt shall be taken in such Manner and forme as followeth
Viz—John Doe plaintiffe & Richard Roe Defend^t You A. B.
& C. D. and Either of you doe Undertake for the said Richard
Roe Defend^t in To be Levyed on your and Either of your
Lands and Tenements goods and Chattells to the Use of the
said John Doe the plaintiffe upon Condition that if the said
John doe do Obtaine Judgm^t in An Action of Depending
in the provinciall Court Against the said Richard Roe the De-
fend^t that then the said Richard Roe shall pay the Condem-
nation of the Court thereupon or deliver himselfe to the Cust-
ody of the Sher of County in Satisfaction thereof or you
or one of you will doe itt for him they Acknowledge them-
selves to be Content therewith this day of before me
To the Hon^{ble} the Justices of the Provinciall Court which p. 162
said recognizance of baile soe taken as af^d shall be transmitted
to the Justices of the said provinciall Court Sitting when and
where such Action or Suite shall be depending together with
a warr^t of Attorney Signed by the said Defendant soe giving
baile directed to some or any one of the Attorneys of the
Provinciall Court af^d which recognizance of baile soe taken as
af^d the said Court shall receive upon an Appearance Entred
for the said Defendant by any one of the Attorneys of the
said Court pursuant to such warrant Saving to the Sev^{ll}
Officers their Lawfull ffees as have been received for the taking
Speciall baile in Court and shall be of Like force and Effect
as if the same were taken de bene Esse before the Justices of
the Provinciall Court dureing their Setting for taking of Every
such recognizance of baile such Justices of the Provinciall
Court or president or any two Justices of the County Court
that shall take such baile shall receive only the sume of five
Shil and no more.