

that "the said sheriffs and all other officers, and ministers aforesaid, shall let out of prison all manner of persons by them or any of them arrested, or being in their custody, &c. upon reasonable sureties of sufficient persons, &c." is the one under which bail bonds were taken in England; that being (as stated in 3 Bl. Com. 290,) the manner in which the reasonable sureties for keeping their day, expressed in the statute, were given. Bail bonds have been in use in civil cases in the province, and continue to be so, although the manner of taking bail out of court, and returning the recognisances or bail pieces, has in some counties superseded the practice of taking such bonds; bail bonds were made assignable to the plaintiff by 4 Anne, Ch. 16, S. 20, which has been, and still remains in use.

By the act of October 1780, Ch. 10, the sheriffs were directed to take bail bonds to the state, from persons taken on criminal writs for offences less than felony; which, according to the expressions, they might have done under this statute, although probably the practice was otherwise. By the act of 1715, Ch. 46, S. 3, sheriffs were not, in actions of trespass on the case, to take a bail bond exceeding 8000*lb.* of tobacco, where no declaration is sent with the writ. By 1791, Ch. 68, S. 16, constables were directed to take bail bonds in cases of small debts. This statute is mentioned in the letter from S. Chase, which has been referred to.

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1 *Rich.* 3.—*A. D.* 1483.

CHAP. 3. Every justice of peace may let a prisoner to mainprize.—No officer shall seize the goods of a prisoner until he be attainted.

As to the first part, see 1 Bac. Abt. title Bail in Criminal Cases, B; and 2 Hawkins 105.

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3 *Hen.* 7.—*A. D.* 1486.

CHAP. 1. The authority of the court of star chamber.—Where one inquest shall enquire of the concealment of another.—A coroner's duty after a murder committed.—A justice of peace shall certify his recognisances, &c. (Part.)

The last part, as to the justices certifying their recognisances, is considered to have been in force, and as proper to be continued. See 4 Bl. Com. 250. Such recognisances were directed to be returned to the criminal court in Baltimore, by 1793, Ch. 57, S. 7.

CHAP. 3. Justices of peace may let prisoners to bail.—The sheriff shall certify the names of all his prisoners at the gaol delivery.

See 1 Bac. Abt. title Bail in Criminal Cases, B; and see the statute 1 and 2 Philip and Mary, Ch. 13; and 1 *Rich.* 3, Ch. 3.

CHAP. 4. All deeds of gift to defraud creditors, shall be void.

See the note on 50 *Edw.* 3, Ch. 6.

CHAP. 10. Costs, &c. awarded to the plaintiff where the defendant sueth a writ of error.

See the note on 6 *Edw.* 1, Ch. 1; and see 3 Bl. Com. 399; and 3 Com. Dig. 251. This statute is mentioned in the letter from S. Chase, that has been referred to.