

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Tuesday the Twenty Eighth Day of May, 1765, in the Fifth Year of His Majesty's Reign, and there continued by several Prorogations until the Twenty Second Day of October, 1768, in the eighth year of His said Majesty's Reign; being the Seventh Session of the Fourth General Assembly convened in the said Province.

8 George III – Chapter 13 (Session 2)

An Act for altering, amending, and continuing an Act made in the Sixth Year of His present Majesty's Reign, intituled An Act concerning Bail.

Be it enacted, by the Lieutenant Governor, Council, and Assembly, that in all causes wherein a creditor shall proceed by *capias* or arrest of the body of the debtor, the debtor or his attorney may file common bail for the appearance of such debtor, where the demand shall be under the sum of ten pounds, and in all causes where the sum in demand shall exceed the sum of ten pounds, no person in this Province shall be imprisoned or held to bail, or his goods, chattels or estate attached, unless the plaintiff in such action, his agent or attorney, shall make and subscribe an affidavit in writing, before a judge of the court from whence such writ shall issue, or in the absence of such judges, before any one of His Majesty's Justices of the Peace, 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 indorsed on the back of the said writ in the form following, by oath for £. _____ for which sum so indorsed, the Provost Marshal, Sheriff, Coroner, or their deputies, shall take bail and for no more; any law, usage or custom to the contrary notwithstanding.

II. And be it further enacted, that the Act made in the sixth year of the reign of His present Majesty, intituled An Act concerning Bail, with the alterations and amendments thereto made by this Act, shall be and continue, and the same is hereby continued in force for two years from and after the expiration of the said Act, and to the end of the then next session of the General Assembly.