

IV. *And be it Enacted*, That the Clerks of the Market shall examine all Bread made for Sale, and shall seize all such Bread as shall be found under the Weight prescribed in the Affize made as aforesaid, under the Penalty of Forty Shillings for every Neglect, and the Baker of such Bread so found under Weight, shall forfeit and pay for every such Offence the Sum of Forty Shillings, which Fines and Penalties shall be levied by Warrant of Distress and Sale of the Offenders, Goods and Chattles, under the Hand and Seal of one of His Majesty's Justices of the Peace, and Three Fourths of the Bread so seized and of the Fines and Penalties so levied, shall be for the Use of the Poor of the Town or Place where the Offence shall be committed, and the other fourth Part, to and for the Person who shall detect the Fraud, and seize such Bread as aforesaid.

Clerks of Market to examine all Bread made for Sale and seize all Bread under weight

Penalties.

how to be levied,

and applied.

## C A P. IV.

### An Act in Amendment to the several Laws of this Province concerning Bail.

*HEREAS many and great Inconveniencies arise for the want of Authority being granted by Law, for holding to Bail such Persons who may be indebted for Sums under Ten Pounds, and exceeding Three Pounds.*

Preamble.

I. *Be it Enacted by the Governor, Council and Assembly*, That in all Causes where the Sum in demand shall exceed Three Pounds, the Provost Marshall or his Deputy, may arrest, imprison or hold to Bail, any Debtor or Debtors, upon the Plaintiff, his Attorney or agent making and subscribing an Affidavit in writing or on the back of the Writ to be issued, for Recovery of the Debt, to be sued for, before a Judge or the Clerk or his Deputy of the Court from whence the Writ shall issue, that the Defendant is justly indebted to the Plaintiff in any Sum exceeding Three Pounds, which Affidavit so to be subscribed as aforesaid, shall be filed in the Clerk's Office from whence such Writ may issue as aforesaid, and the Sum specified in such Affidavit so made and subscribed as aforesaid, or to be made on the Writ as aforesaid, shall be Indorsed on the Writ to be issued as aforesaid, in the Form following, by Oath for (in Words at Length) 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.

In all Causes where the Sum in Demand shall exceed £3 the Provost Marshall or Deputy, may arrest, imprison, or hold to Bail any Debtor, upon Plaintiff his Attorney or Agent making Affidavit before a Judge or the Clerk or Deputy Clerk of Court.

Sum sworn to, to be indorsed on the Writ.

If Plaintiff is sick and unable to attend on the Judge, or the Clerk or Commissioner for taking Bail, such Plaintiff may make Affidavit before a Justice of the Peace.

II. *Provided always, and be it Enacted*, That whensoever it may happen that any Plaintiff or Plaintiffs are sick and unable to attend upon the Judge or Clerk of any Court, or upon a Commissioner for taking Bail, to make Oath to his or their Debt for holding a Defendant to Bail, such Plaintiff may make Oath before any One of His Majesty's Justices of the Peace, and every Oath so to be taken, and Bail, which may be ordered by any One of His Majesty's Justices of the Peace as aforesaid, shall be as good and effectual as if made before any Judge, Commissioner or Clerk as aforesaid.

## C A P. V.

An Act for establishing the Times of holding an  
*Inferior Court of Common Pleas* in the Township of *Yarmouth* in *Queen's-County*.

Preamble.

WHEREAS the Want of Roads, and the Distance between the Township of *Liverpool*, in *Queen's-County*, and the Townships of *Yarmouth*, *Barrington*, and *Argyle*, makes the Attendance of Persons resident in the said Townships, at the *Inferior Court of Common Pleas*, held at *Liverpool*, for the said County, not only very inconvenient, but greatly impedes the due Administration of Justice in the said Townships of *Yarmouth*, *Barrington*, and *Argyle*. For Remedy whereof,

*Inferior Court* to be held at *Yarmouth*, First Tuesday of *April*, last Tuesday of *October*.

I. *Be it Enacted, by the Governor, Council and Assembly*, That an *Inferior Court of Common Pleas* for the said County of *Queen's County*, shall and may be holden within the Township of *Yarmouth*, in the County aforesaid, on the First Tuesday of *April*, and on the last Tuesday of *October* in every Year.

Laws respecting Jurors, &c. to extend to said Court.

II. *And be it also Enacted*, That all and every the Laws of this Province, respecting the balloting, summoning and Attendance of Jurors, ordering and taking special Bail, the Service of Writs and Executions, or which relate to order and direct either the practical or judicial Proceedings of the Courts of Law in this Province, shall extend, and be construed to extend, to the said *Inferior Court of Common Pleas*, in the Township of *Yarmouth* as aforesaid.