

judged a common barrator, vexing others with unjust and vexatious suits, he shall be adjudged a common barrator and his suits and actions rejected, if the court see cause for the same, and he punished for his barratry.

Passed November 27, 1700; allowed to become a law by lapse of time, having been considered by the Queen in Council, February 7, 1705-6, and not acted upon. See Appendix I, Section II; repealed by the Act of Assembly, passed March 31, 1860, P. L. 451.

CHAPTER XLII.

AN ACT TO OBLIGE WITNESSES TO GIVE EVIDENCE AND TO PREVENT FALSE SWEARING.

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories thereunto belonging, in General Assembly met, and by the authority of the same, That there shall be two credible witnesses in all criminal cases in order to judgment; and such person or persons summoned by precept or process from any court or magistrate within this province or territories to deliver their evidence in any matter or difference, and [sic] shall not appear according to the tenor and contents of such process or precept, shall be fined at the discretion of a quorum of the justices of the present or succeeding court, to the use and benefit of the party grieved.

[Section II.] And be it further enacted by the authority aforesaid, That in case such person or witness summoned as aforesaid, give false evidence and be thereof lawfully convict, such person shall pay to the party grieved by such false evidence all such damage as the said party grieved shall sustain thereby, and be publicly exposed for a false witness, never to be credited again in any court or before any magistrate within the said province or territories.

[Section III.] And be it further enacted by the authority aforesaid, That whosoever shall be convict of lying in his or

her common conversation shall for every such offense pay half-a-crown or suffer three days' imprisonment at hard labor.

Passed November 27, 1700; repealed by the Queen in Council, February 7, 1705-6. See Appendix I, Section II, and the Act of Assembly, passed November 27, 1700, Chapter 99, and the Act passed January 12, 1705-6, Chapter 160.

CHAPTER XLIII.

AN ACT CONFIRMING DEVISES OF LANDS AND VALIDITY OF NUNCUPATIVE WILLS.

To the end that lands and hereditaments may be enjoyed by the devisee and his heirs as amply as lands granted by deed by the grantee:

[Section I.] Be it enacted by the Proprietary and Governor, by and with the advice and consent of the freemen of this Province and Territories in General Assembly met, and by the authority of the same, That all wills in writing wherein or whereby any lands, tenements or hereditaments within this province or territories are or shall be devised, shall be as good and authentic in law (according to the tenure thereof) as any other conveyance for granting of such lands and premises, whether the said wills be made within or out of this province or territories.

Provided, the same be legally proved within this province or territories within six months after the death of the testator, or within eighteen months if the devisee live out of this government.

And for the preventing of all disadvantages and hardships that may accrue to any person for want of due proof of nuncupative or verbal wills, or by any pretending the same where no such will really is:

[Section II.] Be it enacted by the authority aforesaid, That all nuncupative wills made within this province or territories shall be of full force for all goods and chattels thereby devised or bequeathed.