

some one Justice of the Peace of the County in which they Live, and by their fixing their intentions of Marriage, on the Court or meeting house doore of the County wherein they dwell, One month befor the solemnization therof And their said marriage shall be solemnized by taking One another as husband and wife before sufficient wittnesses, and a Certificate of the marriage under the hands of the parties & wittnesses, att Least Twelve, shall be brought to the Register of the County where they are marryed, and Registered in his office. And if any person shall presume to mary or to joyn any in marriage contrary thereunto, Such person so marrying shall pay Ten pounds and Such persons so joyning others in marriage shall pay Twenty pounds.

This replaced chapter 133 which had been repealed by chapter 155. Confirmed by chapter 175, 1685; chapter 186, 1688; and chapter 191, 1690. Abrogated in 1693. Replaced by chapter 96, 1693.

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## CHAPTER 167.

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### LAW ABOUT ARRESTS.

Chap: 167 That no Inhabitant in this Province or Territories shall be taken for debt before a Tryall, Unless hee or shee be about to depart out of the same, & shall refuse to give Sufficient Baile for appearance att the next Court, or Security for the payment of the debt, or hath not goods Sufficient to be attached; And that in such Cases before any Warrant of arrest be granted the plaintiff shall Solemnly declare before those who are impowered to grant the same, That hee or shee beleives in his or her Conscience, that his or her caus or action is just, and his or her declaration & evidence are ready for Tryall, if the defendant shall pray a Special-Court And that in Cases relating to other inhabitants residing within the said Province & Territories The process & proceedings Shall be by Summons as by the 66th Chapter of Laws is established and Ordained. And further that it shall & may be Lawfull for any plaintiff to sue out a Writt of Summons & serve upon the defendant personally in whatsoever County hee or shee shall be found, altho is should happen that the dwelling or abode of such defendant may be in another County, And when so personally Summoned, Such

defendant shall be bound to appear in the Court of the said County out of which Such Writt or Summons was issued, And in default of appearance judgment shall be entred against him or her; Or if such defendant appear & upon Tryall judgment shall go against him or her, Execution shall be Awarded in open Court to be directed to the Sherrif of Such County wher the defendant dwells or inhabits, or where his estate Lyes, to be executed in Such manner as if the said execution had proceeded from the Court of that County where hee is Sherrif, Any Law Custom or Usage to the contrary hereof notwithstanding Provided allways that this shall not extend to any members of Provinciall Counsell and Assembly during their attendance & Service in Provinciall Counsell & Assembly, and fourteen days before and fourteen days after their Said Service and Attendance therein.

Confirmed by chapter 175, 1685; chapter 186, 1688; and chapter 191, 1690. Abrogated in 1693, but accepted in the Petition of Right, June 1, 1693, as part of chapter 28.

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## CHAPTER 168.

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### LAW ABOUT APPRAISERS.

Chap: 168 That every County Court or Sessions shall & hereby hath power, as often as they shall See caus, to appoint and attest at Least Three Sufficient, honest & discreet persons to be appraisers in Each County, in Cases where there shall be need; Who shall be allowed Two pence in the pound onely of the goods appraised And no goods upon Execution to be sold befor such appraisment made by those appraisers or any Two of them, nor before the expiration of Seven days, after Such appraisment shall be made, To the end the parties concerned may be present att the Sale therof, if they shall see caus, Which Sale shall be done openly in a publick way and manner; And the Overplus returned by the Officer to the Owner, if any be.

Confirmed by chapter 175, 1685; chapter 186, 1688; and chapter 191, 1690. Abrogated in 1693, but accepted in the Petition of Right, June 1, 1693, as chapter 73.