

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.

CHAPTER 168.

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.