

dealing together be indebted to each other upon bonds, bills, bargains or the like, provided they be of equal dignity and clearness, the defendant shall, in his plea or answer to the plaintiff's declaration, acknowledge the debt which the plaintiff demands from him and defalk what the plaintiff is indebted to him the said defendant, upon the like dignity and clearness.

Passed November 27, 1700; repealed by the Queen in Council February 7, 1705-6.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 January 12, 1705-6, Chapter 150.

CHAPTER XXXIX.

AN ACT AGAINST SPEAKING IN DEROGATION OF COURTS.

[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 if any person or persons, at any time or times hereafter, speak rudely anything in derogation of any sentence or judgment given in any court of record within this province or territories, or shall misbehave himself in the said courts during the sitting thereof, such person so offending shall be fined at the discretion of that or the next court or sessions, not exceeding forty shillings.

Passed November 27, 1700; repealed by the Queen in Council, February 7, 1705-6. See Appendix I, Section II.

CHAPTER XL.

AN ACT FOR THE APPRIZEMENT OF GOODS.

[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 the respective county courts within this province and territories shall and hereby have power, as often as they shall see cause, to nominate and appoint three sufficient, honest and discreet persons, whom they shall attest to be appraisers in their several and respective counties, to value and apprise all such goods and chattels as shall be taken upon executions, by any process out of the respective courts of this government, or as need shall require; which goods shall not be sold till such apprizement be made by them as aforesaid, or any two of them, nor till seven days after the said apprizement, to the end [that] the party or parties concerned may be present at the sale thereof, if they shall think fit; which sale shall be made openly and in a public way and manner, and the overplus to be returned to the owner. And in case the goods apprizd will not sell for so much as the same are apprizd and valued to be worth by the said apprizers, or any two of them as aforesaid, the creditor shall receive them for his pay, according as the same are valued and apprizd, returning the overplus as aforesaid. And the said apprizers shall have as a fee two pence per pound, and two pence per mile journey fees.

Passed November 27, 1700; allowed to become a law by lapse of time, in accordance with the proprietary charter, having been considered by the Queen in Council, February 7, 1705-6, and not acted upon. See Appendix I, Section II, and the Act of Assembly, passed March 20, 1810, P. L. 138.

CHAPTER XLI.

AN ACT AGAINST BARRATORS.

[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 if any person within this province and territories, in any court within the same, be indicted, proved and ad-