

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-

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 See Appendix I, Section II; repealed by the Act of Assembly, passed March 31, 1860, P. L. 451.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