

him, her, or them, indemnify'd from such Bonds; and make appear to the Satisfaction of such Court, that he, she, or they, is or are in danger of suffering thereby, to cause the said Executors, Administrators, or Guardians, to give the said Petitioner or Petitioners sufficient Counter Security, to indemnify him, her, or them, from such Bonds: And in Case the said Executors, Administrators, or Guardians shall refuse or neglect to do the same, to cause Attachment against his, her, or their Bodies, to be issued, to compel him, her, or them thereto. And in Case such Executor, Administrator, or Guardian, shall not be able, or shall refuse or neglect to give such Security, it shall and may be lawful for such County Court, and they are hereby required, to order such Estate, or such Part thereof, as shall be left in the Hands of the said Executor, Administrator, or Guardian, to be delivered into the Hands of the said Sureties, or their, or either of their legal Representatives; who are hereby empowered, by Process of Attachment or Distress, to be issued out of the said Court, to take and possess themselves of the same: And on Receipt thereof, shall be obliged to return an Account of what they shall so receive, to the said County Court, appraised upon Oath, by Two indifferent Persons to be appointed by the said Court; and the said Executor, Administrator, or Guardian, shall be discharged of so much as the said Sureties, or their, or either of their legal Representatives shall receive, by Virtue of such Order or Process.

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An Act to prevent rigorous Prosecutions on Sheriffs, Testamentary, Administration, and Deputy-Commissaries Bonds. Chap. XXV

Whereas it is represented to this General Assembly, that Sheriffs and Testamentary Bonds are frequently put in Suit, in the Provincial Court; and that the Persons causing such Bonds to be sued upon their obtaining Judgments, frequently issue Executions for the whole Penalties contained in such Bonds, with Direction to the Sheriff, or Coroners, to release the Party executed, upon Payment of what the Creditor alledges his Demand to be.

And whereas an Act of Parliament made the Eighth and Ninth Years of King William the Third, Intituled, An Act for the better Preventing frivolous and vexatious Suits, does not fully provide for the Evils complained of,

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governour, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall not be lawful for any Person or Persons, causing such Bonds to be sued, to proceed to Judgment, untill the Creditor or Creditors, clearly make appear to the Court, what his, her, or their Demand is, or are; which Court may, and they are hereby empowered, upon the Defendants having Notice given him, her, or them, or Notice left at the Place of his, her, or their last