

Debt from such Obligor or Obligors that then and in every such Case the like Action shall and may be Maintainable by such Assignee against the Obligee or Obligees in such Obligation mentioned in Case the said Assignee hath not been nor shall be a Surety in the Bond or Obligation Assigned to him as aforesaid any Law Usage or Custom to the Contrary Notwithstanding Provided that where any Debt shall be Lost by the Negligence or Default of the Assignee or Assignees that the Assignee or Assignees shall not be liable any such Assignment Notwithstanding

Liber H. S.
No. 1

Provided also that no Action or Actions shall be maintained in the name or names of any Assignee or Assignees upon any Assignment wherein the Obligee or Obligees may be liable under this Act upon the Default of the Obligor or Obligors as aforesaid unless the Assignee or Assignees have made or shall make Oath or Affirmation (if a Quaker) before some Magistrate that he She or they hath or have received no part of the sum mentioned in such Obligation or but such part thereof as shall be mentioned in such Oath or Affirmation at the Time of making any such Assignment to be Indorsed on such Bond or Obligation

[But the assignee shall first make Oath, &c.]

And be it likewise enacted that any Person knowingly Swearing or Affirming falsely in the Premisses and being thereof Convict by due Course of Law shall suffer as in the Case of Wilfull and Corrupt Perjury

[Punishment for false Swearing]

And be it further enacted by the Authority aforesaid That an Attorney being concerned for either Plaintiff or Defendant in any Case of Equity to be Heard before the County Courts as aforesaid shall have and receive one hundred Pounds of Tobacco where the Debt doth not exceed ten Pounds Sterling or two Thousand five hundred Pounds of Tobacco and where the Debt doth exceed Ten Pounds Sterling or Two thousand five hundred Pounds of Tobacco in any such Case the Quantity of Two hundred Pounds of Tobacco and no more

[Attorney's fee in cases of Equity.]

p. 516

17.th November 1763
Read and Assented to
by the Lower House of
Assembly
Signed p Order
MMacnemara Clk lo Ho:

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Hor.^o Sharpe

19.th November 1763
Read and Assented to
by the Upper House of
Assembly
Signed p Order
J Ross Clk Upp H.^o

The Great Seal
in Wax appendant

No. 23 An Act for the more Effectual Securing of Orphans Estates

XXIV] Whereas it frequently happens that Executors and Administrators and Others that Intermarry with Widows do Obtain the Possession of Real Estate of Orphans within this Province and commit Waste and Destruction thereupon before any Ballance is transmitted from the Commissary's Office in which Case no Guardian can be Ap-

[Passed
21st of
November]
[Preamble]