

To be published
and posted.

thereafter go before some justice of the peace of the neighborhood and make affidavit thereof, which affidavit shall contain a description of said estray, and such person shall cause the certificate of such justice as to such affidavit to be published once in each of two successive weeks, in any newspaper published in the county where such estray shall be taken up, if any be so published, and also copies of same to be set up at not less than three of the most public places in the neighborhood, if such estray be of the value of ten dollars or upwards.

When posted
merely.

3. If there be no newspaper published in the county where the estray may be found, or if it be of less value than ten dollars, in such cases the said persons shall cause copies of the certificate of the justice of the peace to be set up at three of the most public places in the neighborhood where found.

In force and approved March 20, 1868.

ARTICLE XXXVII.

Evidence.

COMPETENCY OF WITNESSES.

2. When a party made witness by his opponent proviso executor, guardian, &c.

COMMISSION OF SLAVE STATISTICS.

6. Time limited vacancy.

COMPETENCY OF WITNESSES.

1868, c. 116 repeals section 2 of this article, being 1864, c. 109 sec. 2, [Sup. 109] and enacts the following as a substitute therefor :

1868, c. 116.
When a party
made witness
by his oppo-
nent

SEC. 2. When an original party to a contract or cause of action is dead, or shown to be lunatic or insane, or when an executor or administrator is a party to the suit, action or other proceeding, either party may be called as a witness by his opponent, but shall not be admitted to testify on his own offer or upon the call of his co-plaintiff or co-defendant otherwise than