

DEC. SESS  
1814.

Insufficiency  
of securities  
on bonds—  
remedy.

Judgments on  
which execu-  
tion has been  
stayed.

Proviso.

paid, by the terms of the contract, shall consist of a specific proportion or share of the growth or product of the land or other thing rented to and occupied by such tenant, such contract, rent or tenant shall not be considered as coming within the purview of this act or be in any manner operated upon by the same.

10. AND BE IT ENACTED, That if any person or the executors or administrators of any person to whom any such bond shall be executed, shall conceive him, her, or themselves in any danger of suffering from the insufficiency of security in such bond, it shall and may be lawful for him, her or them, to apply to the two justices of the peace before whom the said bond was executed, or upon the death, removal or disqualification of the said justices or either of them, then to any other two justices, of the peace of the county aforesaid, who may, if they deem the said application well founded, cause a notice under their hands and seals, to be served upon the person or persons, their executors or administrators, by whom the said bond was given, or left at his, her or their last place of abode, requiring him, her or them, within a fixed reasonable time thereafter, to enter into a new bond, with other security, to be approved of by said justices; and upon neglect or failure to comply with the said requisition, then it shall and may be lawful for the said person, or his executors or administrators, to whom the said bond was executed, to sue immediately on the said bond, and to distress for the rent for which the same was given, in the same manner as he, she or they might or could have done before the passage of this act.

11. AND BE IT ENACTED, That in the case of a judgment on which execution has been stayed under any former law of this state, the original defendant or defendants in such judgment shall not have, or be entitled to any benefit of the provision of this act unless the said defendant or defendants shall enter into bond with sufficient security to be approved of by the judge, justices or justice (as the case may be,) to indemnify the securities under such former supersedeas; *Provided always*, That this provision shall not extend to any case where said defendant or defendants shall produce to the judge, justices or justice (as the case may be,) the assent in writing of the securities on the former supersedeas, their executors or administrators, to the said defendant or defendants entering into a new supersedeas under this act; and in any case of a bond entered into under any former law of this state to stay proceedings under a decree for foreclosure and sale of mortgaged property and in any case of bond heretofore entered into to stay proceedings, under a distress for rent, the morgagor, his heirs, executors or administrators or the tenant or tenants, their executors or administrators shall not be entitled to the benefit of the provisions of this act, without the assent in writing, first

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