

any original Boundary or bounded Tree that is any ways decayed or destroyed, without first giving Notice to all Persons concerned in such Boundaries, of the Time and Place proposed for setting up or making such new Boundary, or that upon the Failure of the Persons concern'd in such Lands (upon Notice or when Notice cannot be given) being present at the Time and Place appointed, shall not take with him Four substantial Freeholders of his Neighbourhood at the least, that may be present at the Bounding such Tree or Trees, or setting up such other Boundary, shall forfeit for every time he, she or they shall be convicted thereof, the Sum of Five Thousand Pounds of Tobacco; the one half to the Informer, or to him or them that shall sue for the same, the other half to the Use of Free-Schools in the County where the Offence is committed: All which Fines aforesaid, to be recovered in His Lordship's Name, in any Court of Record within this Province, by Action of Debt, Bill, Plaint or Information, wherein no Essoyn, Protection or Wager of Law shall be allowed.

Or Re-boundary, without first giving Notice of it,

Or taking with him 4 Free-holders, to be present at the Time, Shall forfeit for every Offence, 5000 Pounds of Tobacco. Half to the Informer, half for Free-Schools.

And be it further Enacted, That in all Prosecutions against any of the Offenders aforesaid, the Attorney-General or Clerk of Indictments, in their Indictments or other Proceedings, shall be as particular as possible in describing the Place upon or to whose Lands the Boundaries relate, which have been made, so set up, or destroyed, contrary to the true Intent of this Act.

Particular Care to be observed by the Clerk of the Indictments.

**A further Supplementary ACT to the Act for the better Administration of Justice in Testamentary Affairs, granting Administrations, Recovery of Legacies, Securing filial Portions, and Distribution of Intestates Estates.**

Article 219

**B**E it Enacted by the Right Honourable the Lord Proprietor, 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 every Creditor having any Sum of Money, Quantity of Tobacco, or other Goods, due from the Estate of any deceased Person, by Judgment, Statute, Recognizance, Mortgage, Obligation, Protested Bill of Exchange, or other Writing; before the Executor or Administrator of the Debtor pay the same, shall be obliged to make a solemn Oath, or Affirmation if a Quaker, before some one Justice of the Provincial Court, one Justice of the Peace, the Commissary-General or Deputy-Commissary, for the Time being, That no Part or Parcel of the Money, Tobacco or other Goods mentioned in such Judgment, Statute, Recognizance, Mortgage, Obligation, Protested Bill of Exchange, or other Writing, hath been paid, nor any Thing else given or delivered towards Satisfaction thereof, more than is taken Notice of and mention'd in such Oath or Affirmation; and that what the Creditor shall confess on Oath or Affirmation to have received, shall be deducted out of the Debt, and the Residue paid by Executor or Administrator having Assets.

Every Creditor, having a Debt due from the Estate of a deceased Person, Shall swear before a proper Magistrate, That no Part of the said Debt hath been paid, more than is mentioned in the said Oath.

And be it Enacted, That every Executor, or Administrator of a Creditor, shall before the Receipt or Recovery of any Debt due, as aforesaid, from any other Executor or Administrator, swear or affirm that the Creditor (to the Knowledge of the Executor or Administrator, nor by any