

prescribed by this Act, before the Court to which such Writ is returnable, or before some Justice of the Provincial Court, or of the Peace, for the said County, or the County where such Plaintiff doth reside; and to return a Certificate of the same to the said Court; and in Default thereof shall suffer a Non-Suit, if the Defendant appears: And in case the Defendant, on the Return of such Writ, if he shall appear, or before Tryal of such Cause, doth not take the same Oath before the Court, or produce a Certificate of his having so done, before some Magistrate as aforesaid, the Plaintiff having complied with his Part, it shall and may be lawful for the Justices of the several Courts within this Province, on the Plaintiff his making appear his Claim, to give Judgment against such Defendant, as by Default, for such Debt, Damages and Costs, as to them shall seem meet.

Session
Laws

Oath of Plaintiff and Defendant.

p. 286

You A B. do swear that you have not given, caused to be given, or paid, nor wittingly, willingly or designedly give, cause to be given, or pay, either directly or indirectly, unto your Attorney or Attorneys, Counsellors or Advisers, in the Cause now depending between you and C D, in Court, or to any other Person whatsoever, for the Use of your said Attorney or Attorneys, Counsellors or Advisers, any other or larger Fee or Fees, Gratuity or Reward, either for Advice in the said Action, or any other Services thereto relating, than they are allowed to take, by an Act of Assembly, entituled, An Act to restrain the evil Practices of Attorneys; and to prevent their taking Money-Fees; and to ascertain what Fees shall be allowed to Practitioners in the Law, who shall attend the Circuit-Courts, according to the best of your Knowledge. So help you God.

A Certificate, of such Person or Persons having taken such Oath or Oaths, or Affirmation, (if a Quaker) of Plaintiff or Defendant, shall be delivered to the Clerk of the County; and the Clerk of the County, Ex Officio, is hereby required to file the said Certificate or Certificates. And the Judges or Justices of any Court or Courts, Jurisdiction or Jurisdictions of this Province, are hereby required not to suffer any Cause or Causes, which shall hereafter be commenced, to be prosecuted or defended before them, before the several Oaths, or Affirmation (if a Quaker) appointed by this Law, for Attorneys, Plaintiff and Defendant, have been taken before them, or Certificates thereof returned as aforesaid.

And be it further Enacted, by and with the Authority, Advice and Consent aforesaid, That all and every Clause or Clauses, Article or Articles, mentioned in any Act of Assembly of this Province heretofore made, relating to the ascertaining and limiting of Attorneys Fees only, be and are hereby declared to be repealed, abrogated and made void, to all Intents, Constructions and Purposes. Pro-