

sale, and pay treble the value thereof; one moiety to the support of government, and the other moiety or half to him that shall discover and prosecute the same. 1705.

Passed in 1705.—Recorded A. vol. I. page 196.

CHAPTER CXLIX.

An ACT for county seals, and against counterfeiting hands and seals.

BE it enacted, That there shall be a county seal in every county of this province, for the use of each county; and if any person, within the said province, shall be convicted of counterfeiting the hand or seal of another, with intent to defraud, such person shall suffer three months imprisonment, at hard labour, and be fined treble the value he or she shall have defrauded, or attempted to have defrauded, thereby, to the use of the party wronged; and whosoever shall counterfeit the privy or broad seal of the said province, being convicted thereof, shall suffer seven years imprisonment as aforesaid, and be fined, at the discretion of the court where such party shall be convicted, in any sum not exceeding one hundred pounds, to the support of government.

Penalty on counterfeiting hand or seal.

Passed in 1705.—Recorded A. vol. I. page 197. (c)

(c) A law of a similar title was passed in 1700, and recorded in book A. vol. 1, page 11, which was repealed by the king and council on the 7th day of February, 1705.

The first act passed under the existing constitution, entitled "An act to declare and establish the seals of this commonwealth," constituted the seal, known by the name of the state seal, lately in the custody of the supreme executive council, the state seal, to be affixed to all patents, &c. and also the lesser seal lately in custody, as aforesaid; and declared them to be the great and less seals of the commonwealth. This act was passed January 8th, 1791, (chap. 1510.) The device of the broad seal of the province consisted of the armorial bearings of the family of the late proprietor. But there had been no description on record of the great seal of the commonwealth.

Therefore, by an act passed March 2nd, 1809, entitled "An act to perpetuate the great seal of this commonwealth;" reciting that it was necessary to renew the same; and that as there was no description on record thereof; and as it was proper that it should be particularly described and established, that it may hereafter be more fully known and recognized—The secretary of the commonwealth was authorized and directed to record a description thereof in his office, that the same may be made perpetual.

In pursuance of the foregoing act, the secretary of the commonwealth, on the 1st of July, 1809, described and recorded the seal of the state in his office.

See the note to the act against defacers of charters, ante. chap. 16, page 4.

CHAPTER CL.

An ACT for defalcation.

BE it enacted, That if two or more, dealing together, be indebted to each other upon bonds, bills, bargains, promises, accounts, or the like, and one of them commence an action in any court of this

Persons sued upon bond, bill, &c. may plead payment of part