

Security.

Before whom
and how
given.

Who may be
surety.

Justification.

Proviso: if the
appellant al-
lows the
judgment to
be executed, or
pays in the
amount of
judgment.

ment to be appealed from (but without
being bound to give previous notice the- 2
reof to the adverse party) give good and
sufficient security, by sureties who shall 4
justify their sufficiency to the satisfaction of
the person before whom it shall be given 6
as hereinafter provided, that he will effec-
tually prosecute the said appeal and answer 8
the condemnation, and also pay such costs
and damages as shall be awarded by the 10
Superior Court if the judgment appealed
from should be affirmed; and such secu- 12
rity shall be given either before any Judge
of the Superior Court or the Protho- 14
notary thereof; and the bond shall then be
deposited and remain of record in the Office 16
of the latter, or it shall be given before
any Circuit Judge, when at the place where 18
the said judgment appealed from shall have
been rendered, or before the Clerk of the 20
Circuit Court at such place, and the bond
shall then be deposited, and remain of re- 22
cord in the office of the latter; and any one
surety, being a proprietor of real property 24
of the value of fifty pounds currency, over
and above all incumbrances payable out of 26
or affecting the same, shall suffice to
render such security valid; and the said 28
Judges, Prothonotaries, or Clerks, are
hereby respectively authorized to admi- 30
nister all oaths required by law in such cases
from the persons so becoming sureties, and 32
to put to them all necessary enquiries and
questions: Provided always, that if the 34
party appealing shall, within the same
delay of fifteen days after the rendering of 36
the judgment, agree and declare in writing
at the Office of the Prothonotary of the 38
Superior Court, or at the Office of the
Clerk of the Circuit Court appealed from, 40
that he does not object to the judgment
being carried into effect according to law, 42
or shall pay into the hands of either of the
said Prothonotaries or Clerks, the amount, 44
in capital, interest and costs, of the said
judgment, and shall, at the same time, 46
declare in writing his intention to appeal,
(which amount, when so paid, the res- 48