

IV. AND BE IT ENACTED, That as often as any creditor, or the executors or administrators of any such creditor, shall conceive him or herself in danger of suffering from the insufficiency of any security so as aforesaid to be taken by virtue of and under this act, he, she or they, may apply to the judge or justices before whom the said confession was made, or in case of the death, removal, resignation or disqualification, of such judge or justices, or either of the said justices, then to any other judge of the judicial district, or justices as aforesaid; and if it shall appear to the said judge or justices that the said application is well founded, he or they shall issue a summon, directed to the sheriff or constable of the county where the person or persons having confessed such judgment may reside, requiring him, her or them, within a fixed reasonable time, to be mentioned in such summon, to enter into another confession of the same judgment, with other securities, to be approved of by said judge or justices, and upon the failure or neglect of such person or persons to comply with the requisition in such summon contained, the said judge or justices, upon proof of the service of such summon, or of its being left at the last place of abode of the person or persons on whom it should have been served, are hereby directed to deliver, upon the same being applied for, a statement, under his or their hands and seals, of the issuing of such summon, and the failure of compliance therewith, upon the delivery whereof to the clerk or register of the court where such confession of judgment was returned, the plaintiff or plaintiffs in the original judgment may have and use the same proceedings thereon which might or could have been had if this act had never passed; provided always, that if after the expiration of the time mentioned in the said summon, a confession of judgment as therein required shall be entered into, and a certificate thereof obtained, such certificate shall have the same force and operation as it would have had under this act if no antecedent confession of judgment had ever been made, and the said confession of judgment shall be returned and recorded, in the same manner, and under the same penalties, as are herein before prescribed.

C H A P.
XIX.
Creditor, in certain cases, may apply to a judge, &c.



V. AND BE IT ENACTED, That in all and every case where the person or persons against whom any judgment or decree hath heretofore been obtained have superseded the same, in the manner prescribed by the original act to which this is a further supplement, it shall and may be lawful for such person or persons to supersede the original judgment or decree in the manner pointed out by this act, and such confession shall operate as a stay of execution as well upon the said original judgment as upon the said former confession.

Judgments may be superseded, &c.

VI. AND BE IT ENACTED, That if any judgment or decree as aforesaid, for a sum certain, which doth not purport to carry interest on the money or tobacco for which the same was obtained, shall be stayed by reason of any confession as aforesaid, such sum shall bear interest from the date of such confession, and it shall and may be lawful for the party who may hereafter sue out execution on said confession of judgment, or the original judgment on which such confession was made, to compel payment of interest on the said sum of money or tobacco from the date of the said confession, by endorsing on the execution his claim of interest from the time when the said confession was entered into, and the sheriff, coroner or constable, as the case may be, shall levy such interest accordingly.

Certain judgments to bear interest, &c.

VII. AND BE IT ENACTED, That no distress for rent shall be made during the continuance of the said act of congress, and of the several supplements thereto, or within six months after the repeal of the same, provided the tenant or tenants enter into bond to the landlord or landlords, his, her or their executors or administrators, with such security, and in such penalty as two justices of the peace of the county wherein the lands or tenements for which said rent may have accrued, are situated, shall approve of, conditioned for the payment of the sum due six months after the repeal of the said acts of congress, with interest thereon from the time the said rent became due; and the said bond, so as aforesaid taken, shall be retained by the justices of the peace taking the same, to be by them delivered to the person or persons to whom the rent is or may be so as aforesaid due; and in case any distress for rent shall be made during the continuance of the aforesaid acts of congress, and of the several supplements thereto, or within six months after the repeal thereof, if the person or persons so as aforesaid distressed shall enter into bond, in manner aforesaid, the justices so as aforesaid taking the said bond, shall grant a certificate thereof to the person or persons so as aforesaid distressed; and the said certificate being delivered to the officer making the distress, on his being paid, or security being given for the fees incurred by the said distress, the officer making the said distress shall and he is hereby authorised and directed to return and deliver the goods and chattels to the person or persons so distressed.

No distress for rent shall be made, &c.

VIII. 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 danger of suffering from the insufficiency of security upon such bond, it shall and may be lawful for him, her or them, to

Persons in danger of suffering may apply to two justices, &c.