

themselves, or those claiming by, from, or under them, and that the said Prisoners, at the Time of such their Surrender, and transferring their Estate as aforesaid, shall take their solemn Oaths (or Affirmation if Quakers) before the said Two Justices aforesaid, to the Effect following, viz. *“ I A. B. do affirm, or solemnly swear, That the Goods, Debts, and Effects, which I have delivered, assigned, and made over to the Sheriff of \_\_\_\_\_ County, in Trust, for the Use of my Creditors, is the whole Estate, both Real and Personal, of my own, in Possession, or that I have any Title to in the World, and that I have not any Estate, Goods, or Effects, of any Kind whatsoever, left, either in Possession, Reversion, or Remainder, (the necessary Wearing-Apparel of myself, Wife, and Children, and Working-Tools, excepted) and that I have not directly or indirectly, sold, leased, or otherwise conveyed, disposed of, or intrusted, all, or any Part of my Estate, thereby to defraud my Creditors, or to secure the same, to receive or expect any Profit or Advantage thereof. So help me GOD :”* It shall and may be lawful for the Sheriffs of the Counties aforesaid, to discharge the said Prisoners, and suffer them to go at large.

C H A P.  
XXVI.

The Oath.

III. And be it further Enacted, That if the said Prisoners, or any of them, shall be arrested or imprisoned, on any Process sued out on any Judgment, or Decree obtained against any of them, for any Debt, Damages, or Costs, contracted, owing or growing due before the End of this Session of Assembly, the Court out of which such Process issued, shall and may discharge such Prisoner, on Motion. And, if the said Prisoners, or any of them, shall be arrested or imprisoned, on any Process, for the Recovery of any Debt, Damages, or Costs contracted, owing or growing due before the End of this Session of Assembly, the Court or Justice before whom such Process shall be returned, shall and may discharge the Party arrested, out of Custody, on his or her common Appearance, being entered, without any special Bail. Provided, That the Discharge of the said Prisoners, or any of them, shall not acquit any other Person from such Debt, Damage, or Cost, or any Part thereof; but that all such Persons shall be answerable for the same, in such Manner as they were, before the passing this Act.

To be discharged from future Arrests on Appearance, &c.

IV. Provided always, and be it Enacted, That notwithstanding the Discharge of the said Prisoners, or any of them, all and every Debt, or Debts, due and owing from him, her, or them, and all and every Judgment had, or Decree obtained, against him, her, or them, shall stand, and be good and effectual in Law, to all Intents and Purposes, against the Lands, Tenements, and Hereditaments, Goods, and Chattels, of him, her, or them, and which he, she, or they, or any other Person, in Trust for the Use of him, her, or them, had at the Time of the Discharge of the said Prisoners, or any of them, or which he, she, or they, at any Time hereafter, shall, or may be any Way seized or possessed of, or interested in, to his, her, or their own Use, or in his, her, or their own proper Right, either in Law or Equity, (except the Wearing-Apparel, Bedding, and Working-Tools, of him, her, or them, not exceeding the Sum of Ten Pounds Current Money) and it shall and may be lawful for any of their Creditors, their Executors, Administrators, or Assigns, to take out new Execution, or Executions, without any *Scire facias* previous thereto, against the Lands, Tenements, or other Hereditaments, Goods, and Chattels, of the said Prisoners, or any of them (except as before excepted) for the Satisfaction of his, her, or their Debts, in such Sort, Manner, and Form, as he, she, or they, might have done, if the said Prisoners, or any of them, had not been taken in Execution, or discharged, by virtue of this Act.

Debts to stand good in Case, &c.

V. And be it further Enacted, by the Authority aforesaid, That if any Action of Escape be brought against any Sheriff, or any Suit or Action against any Justice, or Justices, for their performing their Duty in pursuance of this Act, he or they may plead the General Issue, and give this Act, and the special

Actions of Escape.