

one and the same absconding Person, then, and in such Case, upon Ap-
 plication made to the Provincial Court, or any One Justice thereof, a
 Certiorari shall issue to remove the Proceedings of the County Court be-
 fore the Provincial Court, and on the Return of such Certiorari, the Pro-
 vincial Court shall proceed therein, and the Trustees appointed by that
 Court shall be invested with all the personal Estate and Papers seized by
 virtue of the Attachment issued out of the County Court, as if the same
 had been seized by virtue of the Attachment issued out of the Provincial
 Court; and where Attachments shall issue out of the Provincial Court
 and any County Court, to the Sheriff of one and the same County, the
 Sheriff shall in such Case execute that Writ only that comes first to his
 Hands.

C H A P.
XIII.

both out of
the County
and Provin-
cial Court, a
Certiorari
shall issue to
remove the
Proceedings,
&c.

XVII. And be it further enacted, That before any Trustee shall exe-
 cute any of the Powers given by this Act (other than that of giving No-
 tice of the Appointment as aforesaid) he shall take his solemn Oath (or
 Affirmation if a Quaker) before some Provincial or County Justice, any
 of whom are hereby empowered and required to administer the same, well
 and truly to execute the Trust reposed in him, according to the best of
 his Skill and Understanding; and the Justice who administers such Oath
 or Affirmation, is hereby required to indorse and sign a Certificate there-
 of on the Back of the said Trustees Commission.

Trustees to
be on Oath,
&c.

XVIII. And, whereas it may often happen, that Persons very unsafe in
 their Circumstances may be largely indebted to, or have in their Hands
 Effects to considerable Value, of the Person against whom an Attachment
 may be hereafter issued as aforesaid, and before the said Debts or Effects
 can be secured for the Creditors in the ordinary Course prescribed by this
 Act, the said Persons so indebted may abscond, and the Debts or Effects
 be entirely lost: For Prevention whereof,

XIX. Be it enacted, That when any Attachment shall hereafter be
 issued in virtue of this Act, upon Application made by any Creditor to a
 Justice of the Provincial or County Court, it shall and may be lawful for
 such Justice, and he is hereby required, on Oath or Affirmation made by
 the Creditor, that he verily believes, or has good Reason to suspect, that
 such unsafe Person is indebted to, or holds Goods or Effects, in his or
 her Hands, of the Person against whom the said Attachment shall have
 issued as aforesaid, to the Value specified in such Oath, to give an Order
 or Warrant under his Hand, setting forth such Oath, and the Sum or
 Value of the Debt or Goods believed or suspected to be due or held, di-
 rected to the Clerk of the Provincial Court or County Court where such
 unsafe Person shall reside, to issue a Writ of Trespass upon the Case,
 against such unsafe Person, to answer unto the Trustees to be appointed
 under the said Attachment so issued; and the said Clerk shall, and is
 hereby required to indorse on the said Writ, that the Sheriff shall hold
 the Defendant to Bail in double the Sum so set forth in the said Justice's
 Warrant, which said indorsement the Sheriff is hereby obliged and re-
 quired to comply with. And the said Defendant shall be obliged to give
 special Bail to such Writ, which Writ, and the Proceedings thereon,
 shall be held and deemed to be as good and available in Law, as if the
 Plaintiffs were particularly named therein. And the Trustees, when ap-
 pointed under the said Attachment, shall and may declare, and proceed
 to issue Judgment and Execution in the Cause.

Any unsafe
Person, in-
debted, &c.
to the Person
against whom
Attachment
shall have
issued, a
Writ of Tres-
pass may be
issued against
him, &c.

XX. Provided always, That if the Defendant in such Case give Bail
 and Judgment at the Appearance Court, he shall not be burthened with
 the Plaintiffs Costs.

Proviso.

XXI. And