

thorised and required to summon at the request of the said prisoner, all his real and personal estate, either in possession, reversion, remainder, or in trust, or in or unto which he hath any claim or interest, and likewise convey, assign, transfer, and make over, unto the said sheriff, for the use of the said creditors, all such his estate, interest, or claim, as aforesaid, after such manner as by the said sheriff, and by the major part of such creditors, or such of them as shall think fit to attend, shall reasonably devise or require, at the costs and charges of the person or persons who shall claim benefit thereof, so that the said Richard Richards be not burthened with any warranty thereby, other than against himself, or those claiming by, from, or under him; and that the said prisoner, at the time of such surrender and transferring his estate as aforesaid, shall take an oath before the said two justices to the following effect, viz. " I, Richard Richards, do swear, that the goods, debts, and effects, which I have delivered, assigned, and made over, to the sheriff of Frederick county aforesaid, in trust, for the use of my creditors, are 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 or disposed of, 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 therefrom;" it shall and may be lawful for the sheriff of the county aforesaid to discharge the said Richard Richards, and suffer him to go at large.

If arrested to
be discharged,
&c.

III. And be it further enacted, That if the said Richard Richards shall be arrested or imprisoned, on any process sued out on any judgment or decree obtained against him, for any debt, damages, or costs, contracted, owing, or growing due, before the end of this present session of assembly, the court out of which such process issued shall and may discharge the said Richard Richards, on motion; and if the said Richard 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 said Richard out of custody, on his common appearance being entered, without any special bail; provided that the discharge of the said Richard shall not acquit any other person from such debt, damages, or costs, 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.

Provido.

IV. Provided always, and be it enacted, That notwithstanding the discharge of the said Richard Richards, all and every debt and debts, due and owing from him the said Richard Richards, and all and every judgment had, or decree obtained, against him, 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 the said Richard Richards, which he, or any other person in trust for him, had at the time of his discharge, or against the lands and tenements which the said Richard, at any time hereafter, shall or may be seised or possessed of by descent; and that it shall and may be lawful for any of the said