

An Act For Recovering of Debts

Liber
C & W H
P. 38

Be it Enacted By the Lord Proprietarie of this Province by and with the advice and approbation of the freemen of the same That the Complainant in any action of debt upon book or accompt Shall or may sue his booke or accompt at the first County Court or at the hundred Court of Kent in October or any time after

And the Complainant in any action of Debt after his action entred in the booke of the Register of the said County or hundred Court and after such Caution given given for prosecuting of the cause and performing the Sentence of the Court to be therein given (as shall be reasonably desired of him) Shall or may have a præcept under the hand of the Register of the hundred Court of Kent or otherwise a writt out of the Chancery directed to the defendant contening the whole Tenor or effect of the plaintiffs bill and commanding the said defendant to under write his answer to the said bill and to bring or send it so underwritten into the said County or hundred Court or to deliver it to the plaintiff or to come to enter his answer in the Registers book (within a reasonable time limited) or otherwise to be at the next County or hundred Court (nameing the certain time and place) (to make answer to the said bill) and to bring with him his Witness accompts and all muniments necessary for his defence upon pain of haveing judgm^t proceed against him at the said Court in punishm^t of his contumacie And further prohibiting the said Defend^t to pay away sell give discount release or any way dispose of any his Tobaccos Cattell corne Servants debts or other goods or Chattells remaining at that time in his right and propertie within the County or otherwise within the hundred of Kent) untill upon triall of the cause or Satisfiing the Complainant or Securing the Complain^t or Secureing the Register for the satisfiing of the said bill or the judgm^t to be given therein) such attachm^t be Superceeded or released by a tickett from the Register or by a discharge of the plantif And if the defend^t (being lawfully served with the said precept or writ) or any other by his procurement or with his privity or consent shall afterward pay away sell give discompt release or any way dispose of any his Tobaccos or other goods or Chattells being or remaining (at the time of the writt served) in his right and propertie before such release or discharge obtained from the Court or Complain^t as aforesaid such disposure shall be voyd in law (except only it shall be good against the partie or parties to whom and to whose use they were so unlawfully disposed of and Consenting to such unlawfull disposure of them) and the Tobaccos and other goods so unlawfully dis-