

Justice to issue his Warrant to the Clerk of the County Court, or Provincial Court, as the Case shall require, to issue Attachment for what such Creditor or Creditors shall make appear to be due or owing to him, her, or them, as aforesaid: By virtue of which Warrant, and this Act, it shall and may be lawful for every such Clerk, to issue Attachment or Attachments in the usual Form, for the Debt or Damage that shall be so prov'd, and the incident Cost and Charge for such Creditor or Creditors against such run-away or absconding Person; to be directed to the Sheriff or Coroner, as the Case shall require: Any Law, Usage, or Custom to the contrary notwithstanding.

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And be it further Enacted, That the same Proceedings shall be had on all Attachments to be so issued, and Security given on Condemnation of any Effects that shall be so attached, as are directed by the Act for regulating Attachments, and limiting the Extent of them on Attachments to be issued by Virtue thereof.

Provided always, That when any Creditor shall produce any Bond Bill, protested Bill of Exchange, promissary Note, or other Obligation, Writing, or Instrument, under the Hand and Seal or Hand of such run-away or absconding Person, such Creditor shall make Oath, or Affirmation (if a Quaker) that the whole Debt, or Part thereof, mentioning particularly what Part, if any Payment hath been, or shall be made of any Part, remains really and bona fide due and owing to such Creditor or Creditors: And that if the Debt shall be due upon Account, or Book Debt, that then the Creditor shall prove such Account, and how much thereof shall be due as aforesaid; which Account and Probate shall be lodged with the respective Clerks, before any Attachment shall issue.

And whereas, it has often happened that several Persons have heretofore secretly made over unto their Creditors, or pretended Creditors, or given their own Children, or Others, sundry Goods and Chattels, and yet kept the same in their own Possession, whereby they have been believ'd to be the Proprietors of such Goods and Chattels, and thereby procure to themselves Credit for considerable Sums of Money, and Quantities of Tobacco, to the great Prejudice of several Inhabitants of this Province and Others:

Be it therefore Enacted, by the Authority, Advice, and Consent aforesaid, That from and after the End of this Session of Assembly, no Goods or Chattels, whereof the Vendor, Mortgagor, or Donor, shall remain in Possession, shall pass, alter, or change, or any Property thereof be transferred to any Purchaser, Mortgagee, or Donee, unless the same be by Writing, and acknowledged before One Provincial Justice; or One Justice of the County where such Seller, Mortgagor, or Donor, shall reside; and be within Twenty Days recorded in the Records of the same County. p. 9