

Hinton, (Father to the said Smith's Wife, his only Child; which said Rees was bound to the said Smith as Sheriff, for the due Execution of his Office, which subjected him to the Payment of the major Part of the said Smith's Debts,) devised his Real and Personal Estate to his said Daughter, and her Children by the said Smith, or to others in Trust for them. And for that, the said Smith's being under Confinement, will not benefit his Creditors,

Session
Laws

Be It Enacted, That unless all or any of the Creditors of the said John Smith, or the Attorney or Attornies of such Creditor or Creditors, or any of them within this Province, within Twenty Days after the End of this Session of Assembly, go to the Sheriff of Cæcil County, in whose Custody the Prisoner afore-mentioned is detained or kept in Custody, and give good Security to pay the Imprisonment Fees, at Ten Pounds of Tobacco per Day, that shall or may become due from the said Prisoner after the End of the said Twenty Days; and also to find the said John Smith sufficient Meat, Drink, and Cloathing, during his future Imprisonment, in Case the said John Smith, and Jane his Wife shall deliver up and surrender, or cause to be delivered and surrendered to the Sheriff of the said County, in whose Custody he is, in the Presence of Two Justices of the Peace of the same County, whom the said Sheriff is hereby required to summon, at the Request of the said John Smith, at the Dwelling Plantation, or Place of Abode of the said John Smith, some convenient Time between the Twentieth Day of July next, and the Tenth Day of August, all the Real and Personal Estate of them the said John Smith, and Jane his Wife; or which, by Deeds, was made over in Trust for them, or their Children; all such Real and Personal Estates, either in Possession, Reversion, Remainder, or in Trust, or in or unto which, they or any of them have any Claim or Interest whatsoever: And do likewise, betwixt the Days aforesaid, convey, assign, transfer, and make over unto the Sheriff of the County aforesaid, for the Use of his Creditors, as Sheriff, all such Estate, Interest, and Claim as aforesaid, after such Manner as the said Sheriff, and the major Part of his Creditors, or of such of them as shall think fit to direct therein, or their Council learned in the Law, shall reasonably devise and require, at the Costs and Charges of such Persons as shall Claim the Benefit thereof; so as the said John Smith, and Jane his Wife, be not burthened with any Warranties thereby, other than from themselves and their Heirs, and those that claim by, from, or under them, or the said Rees Hinton. And that the said John Smith, at the Time of such his Surrender, and transferring his Estate as aforesaid, shall take his solemn Oath before Two Justices to be summoned as aforesaid, to the Effect following, (to wit,)

I John Smith do solemnly swear, That the Estate, Goods, Debts, and Effects which I have delivered, assigned, and made over to the Sheriff of Cæcil County, and in Trust, for the Use of my Creditors,

p. 15