

V. And whereas several Persons being Heirs at Law, to avoid the Payment of such just Debts, as in regard of the Lands, Tenements, and Hereditaments descending to them, they have by law been liable to pay, have sold, aliened, or made over such Lands, Tenements, or Hereditaments, before any Process was or could be issued out against them; be it *further enacted by the **575** Authority aforesaid, That in all cases where any Heir at Law shall be liable to pay the Debt of his Ancestor in regard of any Lands, Tenements, or Hereditaments descending to him, and shall sell, aliene, or make over the same, before any Action brought, or Process sued out against him, that such Heir at Law shall be answerable for such Debt, or Debts, in an Action or Actions of Debt, to the value of the said Land so by him sold, aliened, or made over; in which cases all Creditors shall be preferred, as in Actions against Executors and Administrators, and such Execution shall be taken out upon any Judgment or Judgments so obtained against such Heir, to the value of the said Land, as if the same were his own proper Debt or Debts, saving that the Lands, Tenements, and Hereditaments *bona fide* aliened before the Action brought, shall not be liable to such Execution.

VI. Provided always, and be it further enacted by the Authority aforesaid, That where any Action of Debt upon any Specialty is brought against any Heir, he may plead *Riens per Descent*, at the time of the original Writ brought, or the Bill filed against him; any thing herein contained to the contrary notwithstanding; and the Plaintiff in such Action may reply, that he had Lands, Tenements, or Hereditaments from his Ancestor before the Original Writ brought, or Bill filed; and if upon Issue joyned thereupon, it be found for the Plaintiff, the Jury shall enquire of the value of the Lands, Tenements, or Hereditaments so descended, and thereupon Judgment shall be given, and Execution shall be awarded as aforesaid; but if Judgment be given against such Heir by Confession of the Action, without confessing the Assets descended, or upon Demurrer, or *Nihil dicit*, it shall be for the Debt and Damages, without any Writ to enquire of the Lands, Tenements, or Hereditaments so descended.

VII. Provided also, and be it further enacted, That all and every Devisee and Devisees, made liable by this Act, shall be liable and chargeable in the same manner as the Heir at Law