

(49)

But forasmuch as the greatest part of the Visable Estates of the Inhabitants of this Colony doth generally consist of Slaves and it may happen in future Time after Several Descents of Slaves so Annexed to Lands as aforesaid that many people may not be Acquainted with such Settlements and so Creditors may be Decieved and hindered in Recovery of Just Debts and Moreover to bind the property of Slaves so as they may not be lyable to the payment of Debt must lessen and in process of time may Destroy the Credit of the Country It is hereby Provided and Enacted that Notwithstanding any Slave or Slaves shall be Annexed as aforesaid to any Lands and Tenements Settled conveyed or devised in fee tail in possession or Remainder as aforesaid Such Slave or Slaves or their Increase shall be Lyable to be taken in Execution and sold for the Satisfying and paying the Just Debts of the Tenant in Tail for the Time being and such Sale shall be good and Effectual Against him or her and his or her Heirs and all other persons whatsoever claiming under such Settlement

Provided Never theless that if any person shall be hereafter possessed of any Slave or Slaves in Right of his wife which shall be so Annexed to Lands as aforesaid such Slave or Slaves shall not be Lyable to be taken in Execution or sold for the Satisfying any Debt of such Husband so as to barr the wife of any Right which she may claim Under any Settlement made in Pursuance of this Act after his Death

And Whereas it is by the said Act provided that Writts of Dower & Partition may be brought and Maintained for Recovering Dower or making Partition of Slaves in the Case may be and the process and proceedings in those Writts are not well Adapted to the Circumstances of Living things and are very tedious and Difficult

Be it further Enacted by the Authority aforesaid that where any person or persons have or shall have a Right to Demand Dower or have Partition of any Slave or Slaves such person or persons shall and may Exhibit a bill in Equity for that purpose against the Person or Persons of whom the Sum may be Demanded and the Court before whom such bill shall be Exhibited shall Compell the Def: or Defendants to Answer and shall and may Proceed upon such bill and Answer Altho the Defendant or Defendants or any of of them be Under the Age of Twenty one years According to the Course and Rules of Equity and shall and may make such Decree for the Assignment of such Dower and making such Partition in such manner as shall be most Agreeable to Equity and such Assignment of Dower or partition shall be as Effectual as if the same were Made in the ordinary Method of the Common Law

And be it further Enacted by the Authority aforesaid that where it shall be Necessary for the Younger Child or Children of any Person whatsoever to bring any Suit against the Heir at Law for Recovering his or their Proportion of the Value of any Slave or Slaves pursuant to the said Act