

C H A P.  
XIII.

kind or nature soever, and every or any part thereof, in the said sheriffs bailiwick or bailiwicks respectively to be found, with all evidences, books of accounts and papers relating thereto; which writ or writs of attachment so to be issued, the respective sheriff or sheriffs to whom the same shall be directed, are hereby required, authorized and commanded, well and faithfully to execute, and forthwith to make (with the assistance of two substantial freeholders on oath, not being creditor or creditors, which freeholders the said sheriff is hereby required and empowered to summon and swear for that purpose) a just and true inventory and appraisement of all such goods and chattels as he shall seize and take by virtue thereof, and return the same, together with a schedule of the said evidences, books of account, and papers, signed by himself and the said two freeholders, with the writ of attachment, to the court to which the said writ is returnable. And the said sheriff shall be paid his reasonable account of charges and expences in safe keeping the said goods and chattels so seized and attached, over and above a commission at the rate of three pounds *per centum* on the value or amount of the said inventory, by the owner of the said goods if the attachment should be dissolved, or by the trustees herein after mentioned if trustees should be appointed.

Creditors to give public notice of attachment being issued, &c.

III. And be it enacted, That immediately upon the issuing of any such attachment, the creditor or creditors who procured the same, shall give public notice by advertisement set up at the court-house door of the county where returnable, if issued out of the county court, or in the Maryland gazette, if returnable to the provincial court, of such writ of attachment having been issued, and that unless the absconding person shall return and discharge his or her debts, or give bail according to this act, all his or her real and personal estate will be sold for the satisfaction of his or her creditors.

Debtors, &c. of absconding persons, after notice, &c. paying them the debts, are liable to repay the same.

IV. And be it further enacted, by the authority aforesaid, That if any debtor or debtors of the aforesaid absconding person, or the bailee or bailees, or other possessor or possessors of his or her goods or effects, after actual notice of the issuing of such attachments, or after thirty days from the time of setting up such advertisement or inserting the same in the gazette as aforesaid respectively, shall pay the said debt or debts, or deliver the said goods or effects to the said absconding person, or to any other person or persons whatsoever, to his or her use, the said person or persons, so paying the said debt or debts, or delivering the said goods or effects, shall be deemed and adjudged to have paid the same debt or debts, or delivered the said goods or effects fraudulently and in their own wrong, and hereby are made liable to answer the same, or the amount or value thereof, to such person or persons who shall by virtue of this act be empowered to receive and dispose of the estate or estates of the said absconding person, towards the satisfaction of his or her creditors: And in case the person or persons so indebted to the said absconding person, or the bailee or bailees, or other possessor or possessors of his or her goods or effects, shall, after the said notice, be sued by him or her for the said debt or debts, goods or effects, he, she or they, so sued, may plead the general issue, and give this act and the special matter in evidence.

Sales made by absconding persons after notice to be null and void.

V. And be it further enacted, by the authority aforesaid, That all sales made by the said absconding person of his or her estate, lands, goods or chattels, after such actual notice, or after thirty days from the time of setting up such advertisement or inserting the same in the gazette as aforesaid respectively, are hereby declared to be null and void, to all intents, constructions and purposes, whatsoever, any law, usage or custom, to the contrary notwithstanding.

Absconding persons discharging the debts or giving bail, &c. attachment to be dissolved.

VI. And be it further enacted, That in case such absconding person shall return and discharge all his or her debts, or otherwise compound with or satisfy all his or her creditors, on or before the third day of the court to which such attachment shall be returnable, or shall, on or before that day, give good and sufficient special bail, either in the court to which such attachment shall be returnable, or before one justice of the provincial court, or the president or any two justices of the county court, to answer the several claims of all creditors that shall file their declarations against such absconding person, as well in the provincial court the first term