

and shall alledge that such prisoner hath sold, lessened, or otherwise disposed of, in trust, or concealed, all or any part of his lands, money, goods, stock, debts, securities, contracts, or estate, to expect any profit or advantage thereof, or to deceive or defraud his creditors, and shall enter into bond to such prisoner in the penalty of fifty pounds current money, with sufficient sureties, conditioned to satisfy all damages, and costs such prisoner shall sustain or be put to by reason of objecting against the said prisoner's discharge, and the same allegation being adjudged against the said obligor, and shall lodge the same bond with the said justices, then such justices shall not grant any discharge of such prisoner, but shall proceed thereon, and return the said bond to their next county court the second day of the sitting thereof at farthest.—*ibid.* § 8.

11. And the justices of the county court, may hear and determine, in a summary way, such allegation, and if the same shall be determined by the said court against such prisoner, then he shall have no benefit of this act, and judgment shall pass against him or her for costs; but if the determination of the county court, shall be against such creditor or creditors, then the said prisoner shall, by the said court, be discharged, on his or her making, subscribing and delivering, in open court, such schedule and duplicate and taking such oath or affirmation as aforesaid; and all his or her estate shall be invested in the sheriff, sold and disposed of, and applied, as if he or she had been discharged by the said three justices or any two of them; and the said justices of the county court, may ascertain the *quantum* of the damage, if any, that the prisoner hath sustained, by reason of such false allegation, and adjudge the same with costs to the prisoner, which damages and costs shall not exceed the penalty of the bond.—*ibid.*

12. The justices of the county court may, at such time or times as they see proper, order the sheriff to bring the body of any prisoner, against whose discharge such objection shall be made, before the same court, and again remand him to prison, and may appoint such time as they shall see fit for the trial of the issue, to be joined as aforesaid.—*ibid.* § 9.

13. The damages and costs, so to be recovered by any prisoner, shall not be vested in the sheriff, or in any wise subjected to the benefit of any creditor or creditors.—*ibid.* § 10.

14. It shall not be lawful for any judge or justices, in any county of this state, to relieve from confinement, by virtue of the said law to which this is a supplement any person who may be committed to the custody of any sheriff for any fine or forfeiture incurred or to be incurred, for the breach of any law of this state, or for the costs arising on any prosecution.—Nov. 1792, c. 51, § 2.