

C H A P.
XIII.

"title to, or interest in, at this time, in the world, and all debts, rights and claims, which I have at this time, or that I am in any respect entitled to, in possession, remainder or reversion; and that I have not, directly or indirectly, at any time before, sold, conveyed, leased, disposed of, or intrusted or concealed, any part of my property of any kind, or any part of my debts, rights or claims, thereby wilfully to defraud or deceive my creditors, or any of them, or to secure the same, or to receive or expect any profit, benefit or advantage, thereby;" and shall execute and acknowledge, before two justices of the same county, a deed to their trustees appointed in virtue of this act, on behalf of their creditors, for all their property, debts, rights and claims, agreeably to their said oath, in trust for their creditors, a schedule whereof they shall insert in, or annex to, the said deeds, that thereupon, and for ever thereafter, the said Leonard Harbaugh, Thomas Yates, John Baxley, John Talbot Risteau, Conrod Appleman, Hyland Price, Benjamin Lane, Smith Middleton, Quayle Charles Christian, William Perkins, of Kent county, and Nathaniel Pigman, shall, by virtue of this act, be acquitted, released, and for ever discharged, from all debts, promises, contracts, agreements and covenants, due from, or contracted, made or entered into by them before the passing this act; provided, that any property acquired by the said Leonard Harbaugh, Thomas Yates, John Baxley, John Talbot Risteau, Conrod Appleman, Hyland Price, Benjamin Lane, Smith Middleton, Quayle Charles Christian, William Perkins, of Kent county, and Nathaniel Pigman, after the making the said deed, by descent, or in their own right by devise, bequest, or in course of distribution, shall be liable for the payment of his debts.

Sheriffs appointed trustees, &c.

III. AND BE IT ENACTED, That the sheriffs of the several counties where the said prisoners are confined, shall be and are hereby appointed trustees in behalf of the creditors of the said Leonard Harbaugh, Thomas Yates, John Baxley, John Talbot Risteau, Conrod Appleman, Hyland Price, Benjamin Lane, Smith Middleton, Quayle Charles Christian, William Perkins, of Kent county, and Nathaniel Pigman; and the said several sheriffs, before they act as such, shall take the following oath before some justice of the peace of their county, to wit: "I, A. B. do swear, that I will faithfully, impartially and honestly, according to the best of my skill and knowledge, execute the several powers and trusts reposed in me as trustee for the creditors of — — —, without favour, affection, prejudice or malice."

Debtors, if arrested, to be discharged, &c.

IV. AND BE IT ENACTED, That if the said Leonard Harbaugh, Thomas Yates, John Baxley, John Talbot Risteau, Conrod Appleman, Hyland Price, Benjamin Lane, Smith Middleton, Quayle Charles Christian, William Perkins, of Kent county, and Nathaniel Pigman, or any of them, shall be arrested or imprisoned on any process sued out on any judgment or decree obtained against them, or any of them, for any debt, damages or costs, contracted, owing or growing due, before the passing of this act, the court, out of which such process issued, shall and may discharge such debtor on motion; and if the said debtors, or any of them, shall be arrested or imprisoned on any process for the recovery of any debt, damages or costs, contracted, owing or growing due, before the passing of this act, the court, before whom such process shall be returned, shall and may discharge such debtor or debtors out of custody, on his common appearance being entered, without any special bail; provided, that the discharge of such debtor or debtors shall not acquit any other person from such debt, damages or costs, or any part thereof, but that all such persons shall be answerable for the same in such manner as they were before the passing of this act.

If creditors allege fraud, court may examine, &c.

V. AND BE IT ENACTED, That if any creditor of the said Leonard Harbaugh, Thomas Yates, John Baxley, John Talbot Risteau, Conrod Appleman, Hyland Price, Benjamin Lane, Smith Middleton, Quayle Charles Christian, William Perkins, of Kent county, and Nathaniel Pigman, shall, at any time within two years after they are discharged, allege in writing, to the justices of the county where such debtor was confined, in court sitting, that any of the said debtors hath, directly or indirectly, sold, conveyed, leased, or otherwise disposed of, or intrusted or concealed, any part of his property of any kind, or any part of his debts, rights or claims, thereby wilfully to deceive or defraud his creditors, or any of them, or to secure the same, or to receive or expect any profit, benefit or advantage thereby, the said court may thereupon examine such debtor on interrogatories, on oath, for the discovery of his property, or any concealment thereof, and respecting his conduct touching the same; or the said justices may, in their discretion, direct an issue to be tried in the said court, to determine the truth of any allegation made by such creditor; and if such debtor shall be found guilty of any wilful fraud or deceit of his creditors, he shall for ever be precluded from having any benefit of this act; and in case any such debtor shall, at any time within two years as aforesaid, upon any indictment, be convicted of wilfully, falsely and corruptly, swearing to any matter or thing in his oath aforesaid contained, he shall suffer as in case of wilful and corrupt perjury, and likewise be liable to his creditors, and be wholly deprived of any relief or benefit by this act.

C H A P.