

Use of his or their Creditors, all their Estate, Goods, Debts, or Effects, pursuant to the Directions of this Act of Assembly, and to take the last Oath, or Affirmation, in this Act prescribed :

*B E it therefore Enacted, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That it shall and may be lawful for any such Person or Persons, who are now in Prison for Debt, and who before the Meeting of this present General Assembly, have continued so for Forty Days, and upwards, at any Time after the End of this present Session of Assembly, to deliver to the Sheriff of the County where such Prisoner is kept in Prison, an Inventory of his whole Estate, and to lodge with the Clerk of that County Court, a Copy of the said Inventory, with a Copy of the last mentioned Oath, in this Act mentioned, certified by One or Two of the Justices of the Peace of that County, to have been taken by such Prisoner, before him or them, and cause publick Notice to be left at the Court-house, Churches, Chapels, and all other publick Places within the said County, for all their Creditors, at any Time, not being less than Twenty Days after the Date of the said Publication, to appear at the Court-house where the Debtor is detained in Prison, before Two or Three Justices of the Peace of the said County, whom the Sheriff of the said County is hereby required to summon, on Request of such Prisoner or Prisoners, to make Choice and appoint a Trustee or Trustees as aforesaid; and in case of such Appointment not being made, as aforesaid, then the Sheriff of such County to take and receive such Debtors Estate into his or their Charge; and cause the same to be inventoried, appraised, and valued: And the said Debtors are hereby ordered and directed, to convey, assign, transfer, and make over, to the Trustee or Trustees, so to be appointed by the Creditors of such Debtor or Debtors, and for want of such Appointment, to the Sheriff of that County, for the Use of the said Creditors, all such their Estate, Interest, or Claim, after such Manner as the said Trustee or Trustees, or the Sheriff aforesaid, or his or their Council learned in the Law, shall reasonable devise or require, at the Cost and Charges of such Person or Persons as shall claim the Benefit thereof, so always as such Prisoners be not burthened with any Warrantys thereof, other than from themselves, or those that claim by, from, or under them; with an Account, to such Trustee or Trustees, or Sheriff, as aforesaid, of their Debts due from such Debtors: And after such Appraisement, the said Trustee or Trustees, or Sheriff, are impowered to sell the same, by way of Auction, or otherwise, as to them shall seem meet. After which Assignment and Conveyance, it shall and may be lawful, to and for the said Justices, in case it appears to them, that the Poverty and Inability of such Prisoners proceeded rather from the Causes mentioned in the Preamble, than fraudulent and deceitful Practices, by Warrant, under their Hands and Seals, to direct the said Sheriff to discharge such Prisoner or Prisoners; which said Sheriff shall forthwith accordingly discharge the same from his Custody.*

*A N D be it further Enacted, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That all and every the Estate, Real or Personal, of such Prisoners, or every Sum or Sums of Money, or Quantities of Tobacco, that shall or may be raised by Servitude, Sale of such Real or Personal Estate, if sold by Virtue of this Act, shall be distributed and paid, by the Trustees, Sheriff, or Coroner, to and amongst*

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*to be appraised*

*to be sold by way of auction or otherwise*