

Case the said *Thomas Barkley* shall deliver up or surrender, or cause to be delivered up or surrendered, to the Sheriff of *Kent* County aforesaid, in the Presence of Two Justices of the Peace of the said County, whom the said Sheriff is hereby required to summon, on the Request of the said *Thomas Barkley*, at some convenient Time after the Receipt of this Act, not exceeding Five Days, all his real and personal Estate, either in Possession, Reversion, Remainder, or in Trust, or in or unto which he hath any Claim or Interest whatsoever, and likewise before the Day before mentioned, convey, assign, transfer, and make over, unto the Sheriff of *Kent* County, for the Use of his Creditors, all such his Estate, Interest or Claim as aforesaid, after such Manner as by the said Sheriff, and the major Part of such Creditors, or of such of them as shall think fit to direct therein, or their Council learned in the Law, shall reasonably devise or require, at the Costs and Charges of the Persons as shall claim the Benefit thereof, so as the said *Thomas Barkley* be not burthened with any Warrantee thereby, other than from himself or those claiming by, from or under him, and that the said *Thomas Barkley*, at the Time of such his surrender and transferring his Estate as aforesaid, shall take the following Oath, before the said Two Justices, to the Effect following, *viz.*

*I Thomas Barkley do solemnly swear, That the Goods, Debts and Effects which I have delivered, assigned, and made over to the Sheriff of Kent County, and in Trust for the Use of my Creditors, is the whole Estate both real and personal of my own in Possession, or have any Title to in the World, and that I have not any Estate, Goods or Effects, of any kind whatsoever, left either in Possession, Reversion or Remainder, (the necessary wearing Apparel for myself excepted) and that I have not directly or indirectly, sold, leased, or otherwise conveyed, disposed of, or intrusted, all, or any Part of my Estate, thereby to defraud my Creditors, or to secure the same to receive or expect any Profit or Advantage thereof. So help me God.*

The Oath.

It shall and may be lawful for the Sheriff of *Kent* County, after the End of the said Five Days, and the said Sheriff is hereby required to discharge the said *Thomas Barkley* out of his Custody, and to suffer him to go at large.

III. *AND* be it further Enacted, That if the said *Thomas Barkley*, shall hereafter be imprisoned by Reason of any Judgment or Decree obtained for the Payment of any Debt, Damage or Cost, contracted, occurred, or occasioned, owing or growing due before the End of this Session of Assembly, upon every such Arrest, or any such Judgment or Decree, or for any such Debt, Damage or Cost, it shall and may be lawful for the Judges or Justices of the Court where any such Process shall issue, upon shewing a Duplicate of the Discharge of the said *Thomas Barkley*, being so arrested, to release and discharge out of Custody the said *Thomas Barkley*, provided the said *Thomas Barkley* being so arrested, shall and do enter his Appearance, or procure some Attorney to appear to every such Action and plead thereto. *Provided*, That the Discharge of the said *Thomas Barkley* shall not acquit any other Person from such Debt, Damage or Cost, 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.

To be discharged from future Arrests on Appearance, &c.

IV. *PROVIDED* always, and be it Enacted, by the Authority aforesaid, That notwithstanding the Discharge of the said *Thomas Barkley*, all and every Debt or Debts, due and owing from him, and all and every Judgment had, or Decree obtained against him, shall stand and be good and effectual in Law, to all Intents and Purposes, against the Lands, Tenements and Hereditaments, Goods and Chattels of the said *Thomas Barkley*, and which he, or any other Person in Trust for the Use of him, had at the Time of the Discharge of the said *Thomas Barkley*, or which he or they at any Time hereafter shall or may be any way seized or possessed of, or interested in, to his or their own Use, or in his or their own proper Right, either in Law or

Debts to stand good in Case, &c.

Equity,