

on the said Loans, have an indefeasible Estate, in Fee Simple, in Messuages, Lands, Tenements, or Hereditaments, situate, lying, and being within this Province, in the whole to double the Value for all the Sums for which they shall be Sureties; free from all Incumbrances, except the Lord Proprietary's Quit-Rents. And for the better Discovery of Incumbrances which may affect the Real Estates of any Borrower, or Borrowers, his, her, or their Surety, or Sureties, it shall and may be lawful for the said Commissioners, or such as they shall appoint, from Time to Time, to make Searches in any Offices in this Province; and if their be Occasion, take Copies or Transcripts of the Dockets, or Notes of any Judgments, Mortgages and Entails, or other Incumbrances, kept in any of the said Offices, without paying any Fee or Reward for the same.

Each of the Sureties upon all Loans by this Act, to have a Fee Simple Estate to double the Value lent clear of Incumbrances.

XI. And be it further Enacted, That all Bonds so entered into, as also all other Bonds taken by the Commissioners aforesaid, for Money, Bills of Credit, or Bills of Exchange, to be lent by Virtue of this Act, shall be a Lien upon, and bind, the Real Estates of the Obligor, and his Sureties, into whose Hands soever the same may come, from the Day of the Execution of such Bond, or Bonds respectively. And when any Person, or Persons, who shall, during the Continuance of this Act, pass any Bond, or Bonds, for any Sum, or Sums, borrowed in Virtue of this Act, payable to the Commissioners aforesaid, shall fail in Payment of the Interest, or Principal, and Need may require suing any such Bond, or Bonds, for the better securing the Sums due, it shall and may be lawful for the Commissioners, for the Time being, to cause the Clerk of the Provincial Court, to enter such Bond, or Bonds, in the Records of the said Court, and thereupon to order Process, in the Nature of a *Scire Facias*, against the Debtor, or Debtors, or his, her, or their Heirs, Executors, Administrators, or Devisees, and the Surety, and Sureties, of such Debtor, or Debtors, or the Heirs, Executors, Administrators or Devisees, of such Surety or Sureties, and each of such Surety and Sureties, respectively, to appear and shew Cause, at the then next Provincial Court, if any they have, why Execution should not issue on such Bond or Bonds; which Process being served Twenty Days before the Return thereof, and no Appearance entered; or if Appearance, no good Cause shewn to the contrary at the said Court, to which the same is returnable, it shall and may be lawful, by the Direction of the said Commissioners, to issue Execution against the Body, Goods or Chattels, Lands or Tenements, Rights, or Credits, of such Defendant, or Defendants, according to the Nature of the Case, having respect to the Right or Degree in which such Defendant or Defendants, shall stand or be.

The Bonds entered into, shall be a Lien upon, and bind, the Real Estates of the Obligor and his Sureties, &c.

XII. And be it further Enacted, That in case any Obligor, or Obligors, his, her, or their Surety, or Sureties, after Execution of such Bond, or Bonds, shall have aliened, or conveyed away the whole, or any Part of his, her, or their Messuages, Lands, Tenements, or Hereditaments, it shall and may be lawful, for the said Commissioners, to proceed in Manner aforesaid, by *Scire Facias*, against the Terre Tenant, or Tenants, who being warned Twenty Days before the Return of said Process, in Manner aforesaid, and not appearing, or if appearing, not shewing sufficient Cause to the contrary, Execution shall and may be issued, against the Lands, Tenements, and Hereditaments, so aliened, or conveyed away, by *Fieri Facias* or otherwise, agreeable to the Directions of the said Commissioners.

Any Obligor, &c. making Conveyances after executing Bonds, &c. The Commissioners to proceed by *Scire Facias*, &c.

XIII. And be it further Enacted, That in all Cases whatsoever, where any such Process, as aforesaid, shall be issued on such Bond or Bonds, and served as aforesaid, Twenty Days before the Return thereof, it shall and may be lawful, for the Justices of the Provincial Court, and they are hereby authorized and required, to oblige the Defendant or Defendants, to

On Process issued, the Justices of the Provincial Court to oblige the Defendants to plead, &c.