

C. H. A. P.
XXVIII.

Substance, wherewith they should satisfy their Creditors, and afterwards taking the Benefit of this Act, when they have nothing left; to deliver up to their Creditors, no Person who shall be so committed, or charged, from and after the Expiration of this present Session of Assembly, shall be allowed or permitted to exhibit a Petition for the Purpose aforesaid, unless such Petition shall be exhibited within Sixty Days after his or her Commitment; or be charged in Execution, or for want of special Bail.

Prisoners to be set at Liberty after delivering a Schedule and taking the Oath.

V. **And be it enacted,** That after delivering in such Schedule and Duplicate, and taking such Oath or Affirmation, and Transmission as aforesaid, the said Justices attending, or Two of them, shall by their Order in Writing, command the Sheriff forthwith to set at Liberty such Prisoner, which Order shall be sufficient to discharge and indemnify such Sheriff against any Escape or Action whatsoever, which shall or may be brought or prosecuted against him by Reason thereof; and if any Action shall be commenced against any Sheriff or Justice for performing his Duty in Pursuance of this Act, he may plead the general Issue and give this Act and the special Matter in Evidence.

Provido.

VI. **Provided always,** That notwithstanding such Discharge, it shall be lawful for any Creditor or Creditors, at whose Suit such Insolvent Prisoner was imprisoned, at any Time afterwards to sue out a Writ of Fieri facias, or Attachment, against any Lands or Tenements, Goods or Chattels, which such Insolvent Person shall thereafter acquire or be possessed of, by Descent, Gift, Devise, Bequest, or in a Course of Distribution on any Judgment obtained against such Prisoner, without previously prosecuting any Writ of Scire facias whereby the Balance only remaining due on such Judgment shall be levied.

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

VII. **And be it enacted,** That if the said Prisoner shall be arrested or imprisoned on any Process sued out on any Judgment or Decree obtained against him or her, for any Debt, Damages, or Costs, contracted, owing, or growing due, before his or her Discharge as aforesaid, the Court out of which such Process issued shall and may discharge such Prisoner on Motion: And if the said Prisoner shall be arrested or imprisoned, on any Process for the Recovery of any Debt, Damages, or Costs, contracted, owing or growing due, before his or her Discharge as aforesaid, the Court or Justice, before whom such Process shall be returned, shall and may Discharge the Party arrested out of Custody, on his or her common Appearance being entered, without any special Bail; *Provided,* That the Discharge of the said Prisoner 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 this Act.

Provido, in Case any Creditor shall allege such Prisoner has concealed Part of his Estate to defraud his Creditors.

VIII. **Provided always,** That in Case any Creditor or Creditors of such Prisoner shall, on the Day appointed for the Discharge of the same Prisoner, appear at the Prison or Court-House aforesaid, before the said Justices, before the same Prisoner is discharged, and shall allege that such Prisoner hath either directly, or indirectly 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, whereby to secure the same, to receive or expect any Profit or Advantage thereof, or to deceive or defraud any Creditor or Creditors to whom such Prisoner is or shall be indebted, and shall also enter into Bond to such Prisoner in the Penalty of Fifty Pounds Current Money, with such Surety or Sureties as the said Justices, or any Two of them, shall approve,