

next, lodge with the said board a writing, under the hand and seal of all the obligors, if living, or the legal representatives of such as shall be dead, expressing their consent to accept of the said indulgence, acknowledged before some justice of the peace of this state, and certified by the clerk of the county where the said justice resides, under his hand and seal of office, and pay all arrears of interest to the first day of December, seventeen hundred and eighty-nine, in specie; and if the said board shall require better security, a new bond shall be given, payable as aforesaid, with such security as the board shall approve, on or before the said first day of August next; and if the debt is not on bond, the debtor shall, on or before the same day and year, give bond, payable as aforesaid, with such security as the said board shall approve, and pay legal interest from the time the debt ought to have been paid to the said first day of December, seventeen hundred and eighty-nine, in specie.

C H A P.
XLVII.

V. **And be it enacted,** That all bonds, taken in virtue of this act, shall be a lien on all the real estate of the obligors from the date thereof; and in cases where consent is given as aforesaid, to accept of the indulgence of this act, and no new bond taken, all the real estate of the person giving such consent shall be burthened with, and liable to, the debt from the date of the said writing; provided always, that if a schedule of real property of the obligors in any bond, or of the persons signing any writing of consent as aforesaid, shall be annexed to any bond or writing of consent, (together with the oath of the parties, that the same has not been conveyed or mortgaged, or otherwise incumbered, or if mortgaged, or otherwise incumbered, to what amount,) which the said board shall judge fully sufficient to secure the debt due to the state, in such case the said bond, or writing of consent, shall not operate as a lien on any other real property than what is contained in the said schedule.

Bonds to be a
lien, &c.

VI. **And be it enacted,** That if the principal debtor in any bond shall not be able to procure the consent of his securities, to accept of the indulgence offered by this act, or if the said securities shall be infants, under the age of twenty-one years, or under any other legal incapacity of giving consent, and the said principal, in such case, will give a new bond, payable as aforesaid, with such security as the said board shall approve, and comply with the terms and conditions herein before expressed, by the said first day of August next, the said new bond shall be accepted, and the old one cancelled; and if the securities of any of the said debtors shall not be able to procure the consent of the principal, to accept of the said indulgence, they shall, on complying with the terms and conditions aforesaid, and giving a new bond, with security as aforesaid, on or before the said first day of August next, be entitled to an assignment of the old bond from the treasurer of the western shore, who is hereby authorised to make the same, and may have the same proceedings thereon, in their own name, and for their own use, as the state might have had.

Principal, in
certain cases,
may give a
new bond,
&c.

VII. **And be it enacted,** That after the instalment of any debt as aforesaid, if the debtor shall fail in paying any part of the principal or interest, at the several times above mentioned, a *fieri facias* shall issue, on which the property of the debtor shall be sold, and the whole balance of principal and interest due on such instalment levied.

On failure in
payment, pro-
perty to be
sold, &c.

VIII. **And be it enacted,** That all of the said debtors, who do not instal their debt as aforesaid, shall, after the said first day of August next, be proceeded against, in the most expeditious way that the law authorises, for the recovery of the said debts.

Debtors who
do not instal
to be sued,
&c.

IX. **And be it enacted,** That the said board shall inquire carefully into the circumstances of all the public debtors aforesaid, who have already bonded, and of their securities, and in case of doubt of their sufficiency, require new bonds, with such securities as they shall approve, and to call on all the said debtors who have not bonded, to give bonds, payable as aforesaid, with such security as the said board shall approve, on or before the said first day of August next, and in case

Board to in-
quire into the
circumstances
of debtors,
&c.