

CHAP.
XXXIX.
And make a
schedule
thereof, &c.

III. And be it enacted, That the said Mark Pringle, at the time of delivering possession of the said real and personal estate to the said Samuel Sterett, Archibald Campbell and Archibald Moncrieff, shall make a schedule of the same, and deliver to the said Samuel Sterett, Archibald Campbell and Archibald Moncrieff, and make oath at the foot thereof, that the said schedule contains a true account of all the real and personal property and debts due and owing to him, or held by any other person in trust to his own separate use, or as surviving partner of the said Matthew Ridley, and thenceforth the said Mark Pringle shall be and he is hereby acquitted, exonerated and discharged, of and from all claims and demands now due and owing from him, either on his separate account, or as surviving partner of the said Matthew Ridley; provided always, that any property hereafter acquired by the said Mark Pringle, by gift, devise, bequest, or in a course of distribution shall be liable to his creditors.

On assign-
ment, proper-
ty vested in
trustees, &c.

IV. And be it enacted, That upon assignment of the said real and personal property and debts aforesaid, to the said Samuel Sterett, Archibald Campbell and Archibald Moncrieff, they, the said Samuel Sterett, Archibald Campbell and Archibald Moncrieff, and the survivors and survivor of them, shall be and are hereby vested with the absolute estate and property of and in the same, in trust, for the benefit of the creditors of the said Mark Pringle, to be applied and disposed of to the payment and satisfaction of the said creditors in manner herein after directed; and the said Samuel Sterett, Archibald Campbell and Archibald Moncrieff, and the survivors or survivor of them, shall have full power and authority to sell, convey and dispose of, the said property, or any part thereof, and to collect and receive the said debts due and owing to the said Mark Pringle in his separate capacity, or as surviving partner of the said Matthew Ridley, or if need be, to bring any suit or suits at law or equity in their own name, or the name of the survivors or survivor of them, for the recovery of the said debts, or any of them.

Who may re-
tain a com-
mission, &c.

V. And be it enacted, That the said Samuel Sterett, Archibald Campbell and Archibald Moncrieff, and the survivors or survivor of them, shall be empowered to retain a commission of five per centum for their trouble on all such property received or recovered by them, and after paying all necessary expences in the execution of such trust, shall pay and apply the balance thereof to the satisfaction of the creditors of the said Mark Pringle, in the following manner; that is to say, that the said trustees, and the survivors and survivor of them, shall, from time to time, divide and pay all the said balance of the property of the said Mark Pringle, as surviving partner of the said Matthew Ridley, which shall come to their hands, or to the hands of either of them, among the creditors of the said Ridley and Pringle, in equal proportion, according to the value of their claims respectively; and all the said balance of the property of the said Mark Pringle, in his separate capacity, which shall come to their hands, or to the hands of either of them, shall, from time to time, divide and pay to the separate creditors of the said Mark Pringle, in equal proportion, according to the value of their said respective claims; and the surplus of such separate property of the said Mark Pringle, after the payment of his separate creditors, to be applied and paid to the creditors of Ridley and Pringle in manner herein before mentioned.

Trustees to
give bond,
&c.

VI. And be it enacted, That the said trustees, before they proceed to the execution of the said trust, shall give bond with good security, such as the chancellor shall approve, to the state, for the use of the creditors of the said Mark Pringle in his separate capacity, and as surviving partner of Matthew Ridley, in the penalty of ten thousand pounds current money, with condition, to be void if the said Samuel Sterett, Archibald Campbell and Archibald Moncrieff, and the said survivors or the survivor of them, shall well and truly execute the said trust according to the tenor and true intent and meaning of this act; which bond shall be lodged in the said chancery-office, and be liable to be sued by any of the said creditors, for their use who may be aggrieved by the misconduct of the said trustees, or either of them, in the execution of the said trust.

VII. And