

Session Laws House, the Debtor being a Resident of the same County; and where the Creditor resides in another County, then the Commodities aforesaid, to be delivered at the Sheriff's House, or where he shall direct in his County, not being more Inconvenient to the Debtor than the Sheriff's House; and that upon the Creditor's refusing to take the said several Commodities at the Prices aforesaid; then it shall and may be lawful to and for the Sheriff in whose Custody the Debtor is, and such Sheriff is by this Act required to receive and take of the said Debtor (his Prisoner) the several Commodities aforesaid, or so many of them being of the Growth of this Province as the said Debtor (his Prisoner) shall offer to him, in the full Value of the Debt and Costs, and shall forthwith set at large and discharge the said Debtor from his Imprisonment; and such Creditor or Creditors shall have no other Action against such Sheriff but for the Commodities so as aforesaid received, paying to the Sheriff his Fees for taking the said Commodities.

Provided, that this Act nor any Thing therein contained, shall be adjudged to extend to the Payment of any Bills of Exchange, that have been, or shall be drawn on any Person not residing within this Province, and that shall be protested, to whomsoever the same be payable, nor to any Sum of Money or Bills of Exchange, really and bona fide borrowed; nor to the Forty per Pole, the Publick or County Levy: But in all such Cases, they shall be as they were before the making of this Act; any Thing in this Act to the contrary, notwithstanding.

p. 235 Provided, that no Debtor shall be entituled to the Benefit of this Act, that shall not swear, or if a Quaker take the Solemn Affirmation prescribed by Law, before one Provincial or County Justice, that he or she hath not, nor can reasonably procure the Specie due to the Creditor or any Part thereof, more than he or she is ready to pay.

And be it further Enacted, that where any Person shall be Executed for any Officers or Attorneys Fees, in Case such Person shall make Oath, or if a Quaker makes his Solemn Affirmation according to Law, that he hath not, nor can reasonably procure the Species due to such Officer, or any Part thereof, more than he is ready to pay, nor hath sufficient thereof to satisfie such Officers Fees at any Time, from the First Day of October then last past, except what has been taken from him for other Debts due by Execution; it shall and may be lawful for such Person to Pay and Discharge such Fees in the several Commodities aforesaid, at the Rates and in the Manner aforesaid.

Provided, such Debtor shall cause such Commodities to be delivered at such Officer's Dwelling-House, if in the County where such Creditor and Debtor both reside, or such other convenient Place within the same County where the Creditor, or (on his refusal)