

the fourth, sixth, tenth and thirteenth sections of the act, entitled, An act for the relief of fundry insolvent debtors, passed at November session, seventeen hundred and ninety-six; and the chancellor shall have and exercise, with reference to the said Nicholas Slubey, all and singular the powers and authority vested in him by the said sections with reference to the debtors named in the said act.

C H A P.
XXXIX.

VI. And be it enacted, That if any of the creditors of the said Nicholas Slubey shall, on the application of the said Slubey to the chancellor, or within two years thereafter, allege, in writing, that the said Nicholas Slubey hath, directly or indirectly, sold, conveyed, lessened, or otherwise disposed of, or purchased in trust for himself or any other person or persons, or intrusted or concealed, any part of his property, debts or effects, with intent to injure or defraud his creditors, or any of them, or to expect, secure or receive any benefit or advantage therefrom, or secured to any creditor or creditors, within two years before the passage of this law, any illegal preference, the chancellor, at the election of such creditor, may either examine the said Nicholas Slubey on oath, on such allegations, or direct an issue or issues in a summary way, and without the form of an action, for trying the truth of the same; and if upon the answer of the said Nicholas Slubey, or the trial of such issue or issues, he shall be found guilty of any fraud or deceit of his creditors, or preference as aforesaid, he shall for ever be precluded from any benefit of this act; and if the said Nicholas Slubey shall, at any time thereafter, upon indictment, be convicted of wilfully, falsely and corruptly swearing to any matter or thing to which he shall swear by virtue of this act, he shall suffer as in case of wilful and corrupt perjury.

When fraud is alleged, debtor may be examined, &c.

VII. And be it enacted, That if the said Nicholas Slubey shall be arrested or imprisoned on any process sued out on any judgment or decree obtained against him for any debt, damages or costs, due, contracted, owing, or growing due before the passing of this act, the court out of which such process issued shall and may discharge the said Nicholas Slubey on motion; and if the said Nicholas Slubey shall be sued, arrested or imprisoned, on any mesne process, for the recovery of any debts or damages contracted, owing, or growing due before the passing of this act, the court before whom such process shall be returned shall and may discharge the said Nicholas Slubey out of custody on his common appearance being entered, without any special bail.

If arrested, to be discharged, &c.

VIII. Be it enacted, That the said Nicholas Slubey shall not be entitled to the benefit of any of the provisions of this act, unless at the time of presenting his petition as aforesaid he shall produce to the chancellor the assent of two thirds in value of his creditors, who are citizens of this state, or of the United States, at the time of passing this act.

Assent of creditors to be produced, &c.

C H A P. XL.

An ACT to enable the corporation of the Roman catholic clergymen to receive a conveyance, and hold certain lands, and for other purposes therein mentioned.

Passed January 20.

WHEREAS William Deakins, junior, and John Threlkeld, did heretofore, to wit: On the twenty-third day of January, one thousand seven hundred and eighty-nine, by a certain deed of bargain and sale, make over and convey unto John Carroll, John Ashton and Robert Molyneux, certain lands in said deed mentioned, lying and being in Montgomery county: And whereas at the time of said conveyance it was understood between the parties thereto, that the said lands should furnish a site for the purpose of erecting a college, or seminary of learning, under the government and control of the Roman catholic clergy of this state: And whereas in pursuance of such intention the said clergy have, from their funds, erected spacious buildings upon said ground, and organized a seminary of learning, highly beneficial to many of the citizens of this state: And whereas to render the situation of the college more convenient and healthy to the students, the said John Threlkeld did, by a certain deed of bargain and sale, bearing date the fifteenth day of June, one thousand seven

Preamble.