

L. H. J.
Liber No. 46

thereof make equal Distribution of Among the Creditors of the said E F, in proportion to their proved Demands, According to their Direction of the said Act And for your so doing this shall be Your warrant. Given under the Seal of office this Day of Anno Domini And be it further Enacted, That when and as often as any Merch^t or Factor residing out of this Province, and having Effects or Estate therein, shall be indebted to Any the Inhabitants thereof, and become Bankrupt, or stop and refuse Pay^{mt} to any the said Inhabitants in such manner as may render it evident that such Merch^t or Factor is failed though not strictly within the Term of Bankrupt whome a statute hath been granted or awarded, and full and undoubted Proof thereof appears by such Merch^t or Fact^r being inserted in the British public Prints as a Bankrupt, or by the Oaths or Affirmations if Quakers, of one or more witnesses, not being a Creditor or Creditors, with other Concurring Circumstances, that he, she, or they, is, or are become Bankrupt, or Bankrupts, or have stoped and refused Payment in manner aforesaid such Oaths or Affirmations to be taken before the Provincial Court, or one of the Iustices of the said Court, or the said Public Prints with other Concurring Circumstances being produced and manifested to such Court or Justice by one or more of the Creditors of such Merch^t or Factor so Bankrupt in manner aforesaid, the said Court or the Iustice thereof, before whome such Proof is made And at the Request of one or more of the Creditors of such Bankrupt, shall and they are hereby directed, Appointed, And obliged to make An Order to the Clerk of the said Provincial or County Court in manner and Form as herein before directed, to make out a Commission to such three Persons as one or more of the Creditors of such Bankrupt shall appoint and Nominate

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And be it further Enacted, by the Authority Advice and Consent aforesaid, That the Commiss^{rs} to be named in Any such Commission hereafter to be made in Virtue of this Act shall, before they take upon them, or any of them the Execution of such Commission, take an oath on the Holy Evangelis of Almighty God to the purport following, before one Provincial or County Justice, to wit I A B do swear that I will faithfully honestly, and truly to the best of my Skill and Knowledge collect, Sell, and dispose of the Estate, both real and Personal of E F late of County absconded, or become Bankrupt, or Stop and refuse Payment in Manner afores^d as the Case may happen, and the Produce thereof distribute equally among his or her Creditors in Proportion According to a Commission to directed, and the act in that Case Provided And the Iustice before whom such Oath shall be taken shall endorse on the back of the Commission aforesaid his having administred the same

And be it likewise Enacted, That the Commissioners so appointed Commissioned and sworn for the Purposes in this Act intended and