

Cinquième Année de notre Souverain Seigneur GEORGE III. par la Grace de DIEU, de la Grande-Bretagne, de France, et d'Irlande, ROI, Défenseur de la Foi, &c. &c..

JA: MURRAY.

Par Ordre de SON EXCELLENCE au Conseil,

H: KNELLER, D: C: C:

An ORDINANCE, *To prevent the Goods and Effects of Persons absenting themselves from, or residing out of this Province, in the Possession of any Merchant, Factor, Agent, Attorney or Trustee, from being taken away, delivered up, transferred or removed, till the Debts due and owing by such Absentees or Persons residing out of this Province, to any Person or Persons residing within the same, be first paid, or secured to be paid, and for making the same liable to the Payment of all just and real Debts due to any Person or Persons in this Province; and also for making the Real and Personal Estates of any Merchant, or Person using the Trade of Merchandize, by Way of Bargaining, Exchanging, Rechanging, Bartry, Chevifance, or otherwise in Gross or by Retail, or seeking his Trade of living by buying and selling in this Province, liable to the Payment of their Debts, rateably and proportionably amongst their Creditors, notwithstanding private Security given to any particular Person to the Contrary.*

BE it therefore Ordained and Declared, by His Excellency the Governor of this Province, by and with the Advice, Consent and Assistance of His Majesty's Council, and by the Authority of the same, *It is hereby Ordained and Declared,* That all and every the Monies, Goods, Rights or Credits whatsoever, now, or hereafter in the Possession or Power of any Person or Persons in this Province, as Merchant, Factor, Agent or Attorney, in Trust, or for the Use of any Absentee or Absentees, or Persons residing out of this Province, and who have not *Bona fide* accounted for the same, are and shall be subject and liable in the Hands of such Merchant, Factor, Agent, Attorney or Trustee, for the Payment of all just and real Debts of any Creditor or Creditors in this Province of such Absentee or Person residing out of the same; and such Creditor or Creditors shall, and may take and use such Remedies for the Recovery thereof, or the Value thereof, as is herein after directed and prescribed: And if any such Merchant, Factor, Agent, Attorney or Trustee, from and after the Publication of this Ordinance, shall by Collusion, sell, pay, deliver, transfer, change, alter or remove any Monies, Goods, Rights or Credits, in his or their Possession or Power, of or belonging to any Absentee or Absentees, or Person residing out of this Province, without paying, or securing to be paid in Manner as is herein after directed, all the just and real Debts of such Absentee or Persons residing out of this Province, due to any Person or Persons within the same, every such Sale, Payment, Delivery-up, Change, Transfer, Alteration or Removal, shall be adjudged, deemed and taken, and is hereby declared to be fraudulent as to such Creditor or Creditors, and every such Merchant, Factor, Agent, Attorney or Trustee so selling, paying, delivering up, transferring, changing, altering or removing such Monies, Goods, Rights or Credits, contrary to the true Intent and Meaning of this Ordinance, shall, notwithstanding the same, be, and are hereby declared to be subject and liable to repay the same, or the Value thereof, out of his, their or any of their own proper Goods, Chattels or Estate, and the Creditor or Creditors of such Absentee or Absentees or Person residing out of this Province, shall and may have and use such or the like Remedy for the Recovery thereof, or the Value thereof, as is herein after directed to be used against any Merchant, Factor, Agent, Attorney or Trustee, having Monies, Goods or Effects of any Absentee or Person residing out of this Province in his Hands or Possession; any Law, Usage, or Custom to the Contrary notwithstanding.

And be it further Ordained and Declared, by the Authority aforesaid, That when, and as often as Occasion shall require, it shall and may be lawful for any Creditor or Creditors in this Province, for any just and real Debts, due from any Absentee or Absentees,