

to the creditor, to double the full value of the money, goods, or effects, by him or them thus secreted, spent or embezzled, in a special action on the case.

And be it further enacted by the authority aforesaid, that whenever a judgment creditor, shall discover goods, effects or credits of his debtor, that are unattachable by the common and ordinary process of law, he shall be entitled to the process provided in the act, made to enable creditors to receive their just debts, out of the effects of their absent or absconding debtors; and upon the agent, factor or trustee's being summoned in the manner the said act directs, all the money, goods, effects and credits in his hands, shall be secured to respond the judgment that may be given thereon, and he shall answer thereunto, at the first term, in case his principal has personal or other sufficient and legal notice of the suit, fourteen days before the Court's sitting.

When a judgment creditor, shall discover goods, &c. of his debtor, that are unattachable — provision in such cases.

Provided always, that upon a judgment creditor's pursuing such remedy to recover his debt, he shall within seven days after the same process on the supposed agent is served, discharge the body of the debtor (in case he is taken in execution upon the same judgment) by a note or memorandum in writing, directed and delivered to the Officer, who has him in custody, stating the reason & occasion of the discharge of the person of the debtor; and such a discharge shall not vacate, annul or in any manner injure the original judgment; but in case the judgment creditor, shall not within the seven days discharge the person of the debtor, in manner aforesaid, the process commenced as aforesaid, shall abate, and the debtor shall recover treble costs.

Proviso.

June 19, 1788.

1788. — Chapter 17.

[May Session, ch. 16.]

AN ACT IN ADDITION TO AN ACT, ENTITLED, "AN ACT TO BRING INTO THE PUBLIC TREASURY, THE SUM OF ONE HUNDRED AND SIXTY-THREE THOUSAND AND TWO HUNDRED POUNDS, IN PUBLIC SECURITIES, BY A SALE OF A PART OF THE EASTERN LANDS, AND TO ESTABLISH A LOTTERY FOR THAT PURPOSE."

Whereas some of the proprietors of the prize lots drawn in the Lottery aforesaid, have represented, that their said lots are scattered over a great extent of territory, belonging to the Commonwealth, and are desirous of exchanging the same with the Commonwealth, in such manner that their

Preamble.

lots may lie together: And whereas it is for the interest of the Commonwealth, that their request should be granted:

Therefore be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, That upon application of any number of proprietors who have drawn, or are intitled to prize-lots as aforesaid, equal to the contents of a Township, to the Committee on the subject of unappropriated lands, in the Counties of York, Cumberland and Lincoln, for either of the Townships within and upon the borders of the tract appropriated to the said Lottery, they shall be intitled to receive a deed of the same; reserving however, the lots appropriated to public uses in such Township; and also reserving, the lots therein, which are drawn by adventurers, to the persons who drew them, or to their heirs or assigns, agreeably to the plan in the Secretary's Office; also reserving to any settler on the said lands, or person who may have actually made improvements thereon, previous to the passing of this act, a right to purchase the same of this Commonwealth, at any time within twelve months from the date hereof; the residue of such township, to be divided in such manner, as the said associators or adventurers, may agree upon.

Proprietors of prize-lots, allowed to exchange the same with the Commonwealth, &c.

Proviso.

Provided however, that application to the Committee aforesaid, be made within six months from the passing this Act, and that the said adventurers, bear the expence of causing the said Township so applied for, to be surveyed under the inspection of the said Committee.

Title of such prize-lots to be re-vested in the Commonwealth.

And be it further enacted, that upon the execution of a deed, by the Committee as aforesaid, to the adventurers applying therefor as aforesaid, and their endorsing the Tickets, entitling them to such prize-lots, & releasing the same to the Commonwealth, the title to such prize-lots, for which such township shall be exchanged as aforesaid, shall be vacated, & become void; and the same shall be re-vested in, and enure to the Commonwealth, as fully, to all intents & purposes, as if the same had not been granted to, or drawn by such adventurers. June 20, 1788.

1788. — Chapter 18.

[May Session, ch. 17.]

AN ACT TO PREVENT THE DESTRUCTION OF SALMON AND SHAD, IN CONNECTICUT RIVER.

Preamble.

Whereas it has been represented to this Court, in sundry petitions from the inhabitants of several towns in the