

ANNO TERTIO & QUARTO

GULIELMI IV. REGIS.

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CAP. CIV.

An Act to render Freehold and Copyhold Estates Assets for the Payment of Simple and Contract Debts. [29th *August* 1833.]

WHEREAS it is expedient that the Payment of the Debts of all Persons should be secured more effectually than is done by the Laws now in force; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, when any Person shall die seised of or entitled to any Estate or Interest in Lands, Tenements, or Hereditaments, Corporeal or Incorporeal, or other Real Estate, whether Freehold, Customaryhold, or Copyhold, which he shall not by his last Will have charged with or devised subject to the Payment of his Debts, the same shall be Assets to be administered in Courts of Equity for the Payment of the just Debts of such Persons, as well Debts due on Simple Contract as on Specialty; and that the Heir or Heirs at Law, Customary Heir or Heirs, Devisee or Devisees of such Debtor, shall be liable to all the same Suits in Equity at the Suit of any of the Creditors of such Debtor, whether Creditors by Simple Contract or by Specialty, as the Heir or Heirs at Law, Devisee or Devisees of any Person or Persons who died seised of Freehold Estates was or were before the passing of this Act liable to in respect of such Freehold Estates at the Suit of Creditors by Specialty in which

Freehold and Copyhold Estates in all Cases to be Assets for the Payment of Simple Contract or Specialty Debts.

which the Heirs were bound: Provided always, that in the Administration of Assets by Courts of Equity under and by virtue of this Act all Creditors by Specialty in which the Heirs are bound shall be paid the full Amount of the Debts due to them before any of the Creditors by Simple Contract or by Specialty in which the Heirs are not bound shall be paid any Part of their Demands.

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