

*July 1732*

**An ACT for the Relief of Alexander Simms, and Archibald Johnson, languishing Prisoners, in St. Mary's County Gaol.**

**WHEREAS**, the said Alexander Simms, and Archibald Johnson, by their humble Petition to this present General Assembly, have severally set forth, That they have continued Prisoners for Debt, in the Custody of the Sheriff of St. Mary's County, and still continue in the like deplorable Circumstances, not being able to redeem their Bodies, with all the Estate or Interest they have in the World, which they would readily surrender up and part with to their several and respective Creditors, if they would accept of the same, and grant the said Petitioners their Liberty; which seems so unlikely for them to obtain, that (unless relieved by a particular Act to be passed in their Favour, which by their said Petitions, they have humbly prayed,) they must inevitably continue Prisoners for Life, and thereby their Families utterly ruined: And for that the Truth of the said Petitioners Allegations is made appear to this present General Assembly, by sufficient Testimony, and that the said Petitioners, and their Families, are fit Objects of Charity; and that their lying in Gaol can be no Benefit to their Creditors, It is humbly prayed, that the said Petitioners may be relieved, according to their Prayer: And that it may be Enacted,

*AND be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the Same,* That unless all or any of the Creditor or Creditors of the said Alexander Simms, and Archibald Johnson, or the Creditor or Creditors of any, or either of them, or the Attorney or Attornies of such Creditor or Creditors aforesaid, within this Province, shall, within Twenty Days after the End of this Session of Assembly, go to the Sheriff of the aforesaid County of Saint Mary's, and give good Security to pay the Imprisonment Fees, the Sum of Ten Pounds of Tobacco per Day, that shall or may become due from the said Alexander Simms, and Archibald Johnson, after the End of the said Twenty Days; and also find the said Alexander Simms and Archibald Johnson, or any, or either of them, sufficient Meat, Drink, and Cloathing, during their future Imprisonment: And in Case, they the said Alexander Simms, and Archibald Johnson, shall deliver up and surrender, or cause to be delivered up and surrendered, to the Sheriff of the County aforesaid, in the Presence of Two Justices of the Peace of the said County, whom the said Sheriff is hereby required to summon, on the Request of the said Alexander Simms, and Archibald Johnson, at some convenient Time after the Receipt of this Act, not exceeding Ten Days, all their Real and Personal Estate, either in Possession, Reversion, or Remainder, or in Trust, or in, or unto which they have or any, or either of them, hath any Claim or Interest whatsoever: And likewise before the Day before mentioned, convey, assign, transfer, and make over to the Sheriff of Saint Mary's County, for the Use of the said Creditors, all such their Estate, Interest, or Claim as aforesaid, after such Manner as by the said Sheriff, and the major Part of the said Creditors, or of such of them, as shall think fit to direct therein, or their Council learned in the Law, shall reasonably devise or require, at the Cost and Charges of such Persons as shall claim the Benefit thereof; so as the said Alexander Simms, and Archibald Johnson, be not burthened with any Warranties there by, other then from themselves, or those that claim by, from, or under them. And that the said Alexander Simms, and Archibald Johnson, and either of them, at the Time of such their Surrender and Transferring their Estate as aforesaid, shall take his or their solemn Oath or Oaths, (or Affirmation if a Quaker) before the said Two Justice of the County aforesaid, to be summoned as aforesaid, to the Effect following, viz.

**I** A. B. do affirm, or solemnly affirm, That the Goods, Debts, and Effects, which I have delivered, assigned, and made over, to the Sheriff of Saint Mary's County, and in Trust for the Use of my Creditors, is the whole Estate both Real and Personal of my own, in Possession, or have any Title to in the World; and that I have not any Estate, Goods, or Effects of any kind whatsoever left, either in Possession, Reversion, or Remainder (the necessary wearing Apparel for my self, Wife, and Children excepted:) and that I have not directly or indirectly sold, leased, or otherwise conveyed, disposed of, or intrusted all or any Part of my Estate, thereby to defraud my Creditors, or to secure the same, to receive or expect any Profit or Advantage thereof. So help me G O D.

**I** T shall and may be lawful for the Sheriff of the County aforesaid, after the End of the said Twenty Days, and the said Sheriff is hereby required, to discharge the said Alexander Simms, and Archibald Johnson, out of his Custody, and to suffer them to go at Large.

*AND be it further Enacted, by the Authority aforesaid,* That the said Alexander Simms, and Archibald Johnson, nor any of them, shall hereafter be imprisoned, by Reason of any Judgment or Decree obtained for the Payment of any Debt, Damage, or Cost, or for or by Reason of any Debt, Damage, or Cost contracted, occurred, occasioned, owing, or growing due before the End of this Session of Assembly; but that upon every Arrest on any such Judgment or Decree, or for any such Debt, Damage, or Cost, it shall and may be lawful for the Judge or Justices of the Court, where any Process shall issue, upon shewing a Duplicate of the Discharge of the said Alexander Simms, and Archibald Johnson, or any of them, that shall be so arrested, to release and discharge out of Custody, the said Alexander Simms, and Archibald Johnson, or any of them, that shall be so arrested.

**P**ROVIDED, the said Alexander Simms, and Archibald Johnson, or any of them, that shall be so arrested, shall and do enter his or their Appearance, or procure some Attorney to appear to every such Action, and plead thereto.