

ment of any Debt, Damage, or Cost, contracted, occurred, or occasioned, owing or growing due before the End of this Session of Assembly, upon every such Arrest, or upon 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 such Process shall issue, upon shewing a Duplicate of the Discharge of the said Prisoners, or any of them, provided the said Prisoners, or either of them, being so arrested, shall and do enter his or their Appearance, or procure some Attorney to appear to every such Action, and plead thereto. *Provided*, That the Discharge of the said Prisoners, or any of them, shall not acquit any other Person from such Debt, Damage, or Cost, or any Part thereof; but that all such Persons shall be answerable for the same, in such Manner as they were before the passing this Act.

To be discharged from future Arrests on Appearance, &c.

IV. *PROVIDED* always, and be it Enacted by the Authority aforesaid, That notwithstanding the Discharge of the said Prisoners, or any of them, all and every Debt or Debts due and owing from him or them, and all and every Judgment had, or Decree obtained, against him or them, shall stand, and be good and effectual in Law, to all Intents and Purposes, against the Lands, Tenements, and Hereditaments, Goods and Chattels, of him or them, and which he or they, or any other Person in Trust for the Use of him or them, had at the Time of the Discharge of the said Prisoners, or any of them, or which he or they at any Time hereafter shall or may be any Way seized or possessed of, or interested in, to his or their own Use, or in his or their own proper Right, either in Law or Equity (except the Wearing Apparel and Bedding, or Working Tools of him or them, not exceeding the Sum of Five Pounds Current Money). And it shall and may be lawful for any of their Creditors, their Executors, Administrators, and Assigns, to take out new Execution or Executions against the Lands, Tenements, or other Hereditaments, Goods and Chattels of the said Prisoners, or any of them (except as before excepted) for the Satisfaction of his, her, or their Debts, in such Sort, Manner and Form, as he or they might have done if the said Prisoners, or any of them, had not been taken in Execution, or discharged by Virtue of this Act.

Debts to stand good in Case, &c.

V. *AND* be it further Enacted by the Authority aforesaid, That if any Action of Escape be brought against any Sheriff, or any Suit or Action against any Justice or Justices, for performing their Duty in Pursuance of this Act, he or they may plead the General Issue, and give this Act and the Matter in Evidence: And if the Plaintiff be Nonsuit, or discontinue his Action, or Verdict pass against such Plaintiff, or Judgment upon Demurrer, the Defendant shall have and recover his full Costs. *Provided also*, That nothing in this Act shall extend or be construed to extend, to bar any Creditor or Creditors of the before-mentioned Prisoners from having and maintaining any Action of Escape against any Sheriff who hath permitted any Escape before the making of this Act.

Actions of Escape.

Proviso.

VI. *PROVIDED* nevertheless, That in Case the said Prisoners, or any of them, shall at any Time after making such his or their Oath or Oaths, or Affirmation or Affirmations, as aforesaid, be convicted of wilful and corrupt Perjury thereupon, or of a wilful Breach or Non-Compliance with the Tenor of such Oath or Affirmation as aforesaid, that then the said Prisoners, or any of them, being convicted as aforesaid, shall, upon such Conviction as aforesaid, be wholly deprived of any Benefit intended to him or them by this Act, and shall thenceforth be liable to be prosecuted for any Debt or Demands whatsoever, in the same Manner as if this Act had never been made; any Thing to the contrary notwithstanding.

If perjur'd, not to receive any Benefit from this Act.

VII. *PROVIDED* always, That the Sheriffs of Worcester, Anne-Arundel, Frederick, Queen-Anne's, Baltimore, Saint Mary's, and Prince-George's Counties, shall be first satisfied their Imprisonment Fees, out of the respective Effects of the said Prisoners, before any Creditor or Creditors shall have any Share of the Prisoners Effects; and if the said Prisoners Effects shall not be sufficient to satisfy the Sheriffs their Imprisonment Fees, that then the said Prisoners, and every of them, whose Effects shall not be sufficient to pay and satisfy their Imprisonment Fees as aforesaid, shall satisfy and pay to the Sheriffs the Residue of their Imprisonment Fees. *Provided*, That the said Sheriffs shall not prosecute, detain, or imprison, the said Prisoners, or any of them, within Three Years after their Release; any Thing contained in this Act to the contrary notwithstanding.

Sheriffs Fees to be first paid.

VIII. *AND* be it further Enacted by the Authority, Advice, and Consent aforesaid, That whatever Estate, whether Real or Personal, any of the Prisoners aforesaid shall surrender or give up to any of the Sheriffs, in whose Custody they are or shall be at the Time of their or any of their Discharges, shall, by the Sheriff or Sheriffs in whose Custody such Prisoner or Prisoners shall be, in the Presence of one Magistrate of the particular County where such Prisoner shall be discharged, be exposed to public Sale, and Sold to the highest Bidder; and that after the same be done, and the Sheriff or Sheriffs are paid, or secured to be paid, their Fees, the Residue shall be applied to the Creditors of such Prisoner or Prisoners that shall apply therefor, within Thirty Days after the said Sale, in equal Proportion to their Demands.

The Prisoners Effects to be sold by the Sheriffs.

IX. *AND* be it further Enacted, That all such Accounts, Bonds, Notes, or other Demands, any of the said Prisoners have against any Person or Persons whatsoever, be by the said Prisoner or Prisoners assigned to the Sheriff, in whose Custody such Prisoner or Prisoners shall be or are at the Time of their Discharge; and that such Sheriff or Sheriffs shall and may maintain an Action or Actions on such Demands, as Assignee of such Prisoner or Prisoners, in his own Name. *Provided* always, That such Creditor or Creditors demand of such Sheriff to sue, and give to such Sheriff a Bond to indemnify him against any Charge that may accrue to such Sheriff by Means of Suing; and in Case of Recovery, that then the Sheriff make Distribution of what shall be recovered to the Person or Persons giving him such Security as aforesaid.

Bonds, &c. belonging to the Prisoners to be assigned to the Sheriff.