

Provided also that before any Suit shall be brought by any Sheriff aforesaid Notice shall be given thereof in the Maryland Gazette for four weeks Successively in order that all the Creditors of such Prisoner may have an opportunity if they shall think fit of joining in the request aforesaid to and indemnification of the said sheriff and thereby entitled to receive rateably what shall be recovered and the Time from discharge of such Prisoner as aforesaid 'till such suit shall be brought shall not be affected by any act for limitation of actions Provided such suit be commenced within one Year from the Time of such discharge and the Creditors who shall apply and receive any Sum or sums of Money of the Sheriff as aforesaid shall refund and pay rateably to such other Creditors as shall apply for the same thereafter the Debt or Debts due from such Prisoner to him her or them so that the said last mentioned Creditors may receive and be paid in Equal proportion to his her or their demands and in Case such Prisoner as aforesaid shall be liable on a future Breach of a Contract by him or her made or entered into before his or her discharge the Person or persons who shall be Entitled as a Creditor or Creditors of such Prisoner under such Breach of Contract shall have and receive his or her Satisfaction rateably of the Creditors who shall have received the whole or a proportion of the Debts due to them on such distribution as aforesaid, and to prevent Persons who may be committed or Charged in Execution or for want of special Bail from laying in Prison untill they have spent their Substance wherewith they should Satisfy their Creditors and afterwards taking the benefit of this Act when they have nothing left to deliver up to their Creditors no person who shall be so committed or Charged from and after the Expiration of this present Session of Assembly shall be allowed or permitted to Exhibit a Petition for the Purpose aforesaid unless such Petition shall be exhibited within Sixty days after his or her Commitment or be charged in Execution or for want of Special Bail

Liber R. G.
1774
[Before any
Suit shall
be brought,
Notice to be
given in the
Maryland
Gazette, &c.]

p. 367

[Persons
prevented
from spend-
ing their
Substance in
Jail.]

And be it enacted that after delivering in Such Schedule and duplicate and taken such Oath or Affirmation and transmission as aforesaid the said Justices attending or two of them shall by their order in writing Command the Sheriff forthwith to set at Liberty Such Prisoner which Order shall be sufficient to discharge and indemnify such Sheriff against any Escape or Action whatsoever which shall or may be brought or Prosecuted against him by reason thereof and if any Action shall be Commenced against any Sheriff or Justice for performing his duty in pursuance of this act he may Plead the General Issue and give this Act and the Special matter in Evidence

[Prisoners
to be set at
Liberty after
delivering a
Schedule and
taking the
Oath.]

Provided always that notwithstanding such discharge it shall and may be Lawfull for any Creditor or Creditors at whose suit such insolvent Prisoner was Imprisoned at any time afterwards to Sue out a writ of fieri facias or Attachment against any lands or Tenements

p. 368
[Proviso.]