

prisoned under such commitment as aforesaid; and if it shall appear to the said justices who shall attend, that such person hath been actually imprisoned as aforesaid, and it doth not appear to them, or any two of them, from the cause or causes of his or her imprisonment, or by the allegation upon oath of the creditors, or some of the creditors of the said prisoner, that the whole of the debts due and owing from him or her amount together to two hundred pounds sterling money, or the value thereof, then such prisoner may deliver to the said sheriff a schedule of his or her whole estate, debts and credits, and also deliver to the said justices attending a duplicate thereof; which schedule and duplicate shall be subscribed by such prisoner before the same justices, who shall thereto subscribe as witnesses; and the same justices, or any two of them, shall thereupon, at the request of such prisoner, administer to him or her the following oath, or affirmation if a quaker, that is to say, "I, A. B. do affirm, or solemnly swear, that the schedule which I have delivered to the sheriff of _____ county, doth contain a full account, to the best of my knowledge and remembrance, of my whole estate both real and personal, or that I have any title to or interest in, and of all debts, credits and effects whatsoever, which I, or any in trust for me, have, or at the time of my petition had, or am, or was in any respect entitled to, in possession, remainder, or reversion; and that I have not, directly or indirectly, at any time since my imprisonment, or before, sold, leased, or otherwise conveyed, disposed of, or intrusted, all or any part of my estate, goods, stock, money or debts, thereby to defraud my creditors, or to secure the same to receive or expect any profit or advantage thereof. So help me God." Which said duplicate shall be by the said justices transmitted to the clerk of their county court, to be by him preserved in his office, for the better information of the creditors of such prisoner.

II. And be it enacted, That all the real and personal estate of such prisoner, either in possession, reversion, remainder, or in trust, for him or her, or in or unto which he or she has any claim or interest whatsoever, or which in any manner may, can, or might, be subjected to the payment or satisfaction of creditors, and also all causes of action whatsoever of such prisoner, other than for trespasses on his person, or for slander, shall be vested in the sheriff aforesaid; and such sheriff is hereby authorized, empowered, and required, to sell and convey the said lands, tenements and hereditaments, for such estate, use, interest, right, or title, as aforesaid, and also the said goods and chattels, to any person or persons whatsoever, for the best price that can be got for the same, upon a public sale, whereof notice shall be given by advertisement, set up at the court-house door, and other public places of the county where such lands, tenements, hereditaments, goods or chattels, shall lie or be found, twenty days at least before such sale, and the balance of the money arising by such sale, after deducting the sum of one shilling and four-pence current money for each day he shall keep such prisoner in his gaol, and find him or her victuals, and also seven and an half *per cent.* for his trouble in the sale and conveyance of the prisoner's estate as aforesaid, shall apply in manner following, that is to say: The produce of that part of the estate and interest of the said prisoner, upon which his or her creditors, by judgments, if any, or any claiming, or who shall or may claim under them, who have or shall have any lien by assignment of such judgment, or otherwise, shall pay in or towards satisfaction of the said creditors, according to the order and priority of their judgments, or other lien thereon, and the residue of the said balance shall pay and distribute among all the creditors of such prisoner who shall apply therefor within thirty days after the aforesaid sale, in equal proportion to their demands, early notice of such design being previously given by advertisements set up at the most public places of the county where such debtor resides, and likewise in the Maryland gazette; and such sheriff shall and may maintain an action, as assignee of such prisoner, in his own name, on and for any such cause of action as aforesaid: Provided, that no judgment hereafter to be rendered against any person applying to be discharged as aforesaid, nor any process thereon, shall create any lien on the lands, goods, or chattels, of such person, whereby the creditor obtaining such judgment shall or may have any priority in the distribution of the money arising from the sale of such lands, goods or chattels, to be distributed as aforesaid.

Prisoners estates, &c. vested in the sheriff, &c.