

3. All the real and personal estate of such prisoner, either in possession or otherwise, and all causes of action, other than for trespasses, on his person, or for slander, shall be vested in the sheriff aforesaid, who is empowered to sell and convey the same respectively, to any person or persons whatsoever, by 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 or chattels shall be found; 20 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 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, shall apply as follows, 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 those claiming under them, having any lien by assignment of such judgment, or otherwise, shall pay in satisfaction of the said creditors, according to the priority of their judgments, or other lien thereon, and the residue shall pay and distribute among all the creditors, applying therefor within 30 days after the 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 in the Maryland Gazette, and such sheriff may maintain an action, as assignee of such prisoner, in his own name, on and for any such cause of action as aforesaid: but no judgment hereafter to be rendered against any person applying to be discharged, nor any process thereon, shall create any lien on the lands, goods or chattels, of such person, whereby the creditor obtaining such judgment shall have any priority in the distribution of the money arising from the sale thereof, to be distributed as aforesaid.—*ibid.* § 2.

4. But before such sheriff shall be obliged to sue in any such action, the creditor or creditors shall give bond, to indemnify him against any charge that may accrue to him by means of any such suit, and in case of recovery and receipt of the debt or damages, the sheriff shall distribute what shall be recovered, to the person or persons giving such security, in proportion to their respective demands, saving to such prisoner his or her necessary apparel and utensils of trade, not exceeding the value of 5*l.* current money.—*ibid.* § 3.

5. Before suit shall be brought by the sheriff, notice shall be given thereof in the Maryland Gazette, 4 weeks successively, that all the creditors may have an opportunity of joining in the request, and indemnification of the sheriff, and thereby be entitled to receive rateably what shall be recovered, and the time from discharge of such prisoner, 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 such discharge, and the creditors who shall apply and receive any sum or sums of money of the sheriff, shall refund and pay rateably, to such other creditors