

be held in virtue of this act on the second Tuesday of June next, when adjourned by the judges of the said court, after finishing their business, shall be and hereby is adjourned to the second Tuesday in November next; and the said court, for ever thereafter, shall be held on the second Tuesday in the months of June and November.

C H A P. XL.

C H A P. XLI.

An ACT to revive and aid the proceedings in Saint-Mary's county court. Lib. JG. No. 1. fol. 178.

Passed 25th of Dec. 1789.

C H A P. XLII.

An ACT relating to writs of *capias ad satisfaciendum*. Lib. JG. No. 1. fol. 180.

**W**HEREAS plaintiffs are often willing to grant indulgence to defendants arrested on writs of *capias ad satisfaciendum*, but doubts have arisen whether such indulgence can be granted without depriving the plaintiffs of the benefits of any further execution;

Preamble.

**II. BE IT ENACTED**, by the General Assembly of Maryland, That in case any writ of *capias ad satisfaciendum* hath been or shall be issued out of the general court, or any county court of this state, on which there hath been or shall be an arrest of the defendant or defendants, if the plaintiff or plaintiffs, with the consent of the defendant or defendants, have elected or shall elect not to call the said execution during the term to which it was or may be returnable, it shall and may be lawful for every such plaintiff or plaintiffs to proceed against every such defendant or defendants, and his, her or their heirs, devisees, executors or administrators, by a new execution, or such other process as the nature of the case may require, for such sum of money or tobacco as may remain unsatisfied on his, her or their judgment, in the same manner that he, she or they, might have done if such defendant or defendants had not been arrested on the former writ of execution.

Provision in case of a writ of *capias ad satisfaciendum*, &c.

C H A P. XLIII.

An ACT for the relief of sundry insolvent debtors confined in sundry gaols of this state. Lib. JG. No. 1. fol. 180.

**W**HEREAS Benjamin Rogers, Charles Myers, George Wolf, Benjamin Lane, James Forbes and William Stayton, prisoners confined in the gaol of Baltimore county, Samuel Godman, of Anne-Arundel county, Micajah Mitchel, Thomas Bond, (son of John,) Francis Baker and Daniel Cheston, of Harford county, and John Ruth, of Queen-Anne's county, for debts, by their petitions to this general assembly have set forth, that by reason of many misfortunes they are unable wholly to satisfy their creditors, and have prayed that they may be discharged from further confinement upon their delivering up all their property for the use of their creditors; and the prayer of the said petitions being found reasonable, therefore,

Preamble.

**II. BE IT ENACTED**, by the General Assembly of Maryland, That any three of the justices of the respective counties aforesaid be and they are hereby required and directed, upon the petitions of the said Benjamin Rogers, Charles Myers, George Wolf, Benjamin Lane, James Forbes, William Stayton, Samuel Godman, Micajah Mitchell, Thomas Bond, (son of John,) Francis Baker, Daniel Cheston and John Ruth, to grant unto them the like relief as by the laws of this state is provided and enacted for insolvent debtors who are confined for debts not exceeding two hundred pounds sterling.

Justices, on petition, to grant relief, &c.

**III. AND BE IT ENACTED**, That the justices aforesaid, or any two of them, upon such petitions being made to them, and without any further notice, except where notice has not already been given, by the said Benjamin Rogers, Charles Myers, George Wolf, Benjamin Lane, James Forbes, William Stayton, Samuel Godman, Micajah Mitchell, Thomas Bond, (son of John,) Francis Baker, Daniel Cheston and John Ruth, for their discharge aforesaid, shall thereupon proceed in all things conformable to the purport, true intent and meaning, of the act for the relief of insolvent debtors not exceeding two hundred pounds sterling, excepting as to the notice, and that their discharge be equally valid and effectual, and the proceedings of the said justices equally good and binding, to all intents and purposes whatsoever.

And proceed conformable to a former act, &c.

**IV. AND BE IT ENACTED**, That where notice has not been already given, the several justices are authorized to proceed upon the application of the petitioners, upon fifteen days notice, in the manner prescribed by the act of seventeen hundred and seventy-four.

Upon fifteen days notice, &c.