

October
1671.

(101)

An act for stay of Executions after April

Whereas many the Inhabitants of this Province are and have been exceedingly grieved and burthened, by Executions, laid upon them for tobacco in the Summer time, and when it is not possible for them to procure tobacco for payment and satisfaction of their Creditors, by means whereof they are oftentimes kept in prison a long time, and (thereby) disabled from tending and making their Crops, to the great prejudice (if not ruin) of many the Inhabitants of this Province; being (thereby) left destitute of any means, to satisfy their Creditors, for probation whereof for the future.

Be it enacted by the Right honorable the Lord Proprietor of this Province by and with the advice and consent of the upper and Lower houses of this present general Assembly, and by the authority of the same, that after the tenth day of April in any year, No Execution shall issue out of any Court of this Province against the body or goods of any person or persons inhabiting or residing within this Province, till the tenth day of October next, or till the tenth day of October in any year, during the continuance of this Act, for any debt or debts, or upon any award, Judgment or Judgment made, had or recovered against any the Inhabitants of or within this Province betwixt the tenth day of April and the tenth day of October in any year in the Provinciall or any the County Courts of this Province for any cause, matter or thing whatsoever. Provided such person or persons against whom any such Judgment is obtained, shall immediately after the obtaining such Judgment, with another party such as the Justice hereafter mentioned shall approve of, come before one of the Justices or more of the Justices of the Probate Court, or two Justices or more of the respective County Courts where such Judgment is obtained, and consign Judgment to the party that obtains the Judgment, as is aforesaid for his debt and Costs of suite with a respite execution till the tenth of October next following. And thereof procure Certificate under the hand of the same Justice or Justices before whom the said Judgment shall be consigned, and that such Certificate shall be a sufficient supersedeas to the Sheriff to forbear forbearing the Execution upon the body or goods of the person obtaining such Certificate, and if the party be taken in Execution before such Certificate be produced, that then such Certificate being obtained aforesaid as aforesaid shall be sufficient supersedeas to the Sheriff to release such a person from imprisonment upon that execution, the party pay or give security to such Sheriff for his due fees for that imprisonment, and that the Justice or Justices before whom such Judgment