

## Acts of Assembly passed in May, 1756.

the Sum of Five Pounds Current Money), and it shall and may be lawful for any of their Creditors, their Executors, Administrators and Assigns, to take out new Execution, or Executions, against the Lands, Tenements, or other Hereditaments, Goods, and Chattels of the said Prisoners, or any of them (except as before excepted), for the Satisfaction of his, her, or their Debts, in such Sort, Manner, and Form, as he or they might have done if the said Prisoners, or any of them, had not been taken in Execution, or discharged, by Virtue of this Act.

Actions of  
Escape.

V. *AND be it further Enacted, by the Authority aforesaid,* That if any Action of Escape be brought against any Sheriff, or any Suit or Action, against any Justice or Justices, for the performing their Office in Pursuance of this Act, he or they may plead the general Issue, and give this Act, and the Matter in Evidence; and if the Plaintiff be nonsuit, or discontinue his Action, or Verdict pass against such Plaintiff, or Judgment upon Demurrer, the Defendant shall have and recover his full Costs.

Proviso.

VI. *PROVIDED also,* That nothing in this Act shall extend, or be construed to extend, to bar any Creditor or Creditors of the before mentioned Prisoners, from having and maintaining any Action of Escape against any Sheriff, who hath permitted any Escape, before the making this Act.

If perjur'd, not  
to receive any  
Benefit from  
this Act.

VII. *PROVIDED nevertheless,* That in Case the said Prisoners, or any of them, shall, at any Time after making such his or her Oath, or Oaths, or taking such his or her Affirmation, or Affirmations, as aforesaid, be convicted of wilful and corrupt Perjury thereupon, or of a wilful Breach or Non-compliance with the Tenor of such Oath, or Affirmation, as aforesaid, that then the said Prisoners, or any of them, being convicted as aforesaid, shall, upon such Conviction as aforesaid, be wholly deprived of any Benefit intended to him, her, or them, by this Act, and shall, from thenceforth, be liable to be prosecuted for any Debt or Demands whatsoever, in the same Manner as if this Act had never been made; any Thing to the contrary notwithstanding.

Sheriffs Fees to  
be first paid.

VIII. *PROVIDED always,* That the Sheriffs of *Cæcil, Kent, Queen-Anne's, Tallot, Dorchester, Somerset, Baltimore, Anne-Arundel, Frederick, Prince-George's,* and *Calvert* Counties, shall be first satisfied their Imprisonment Fees, out of the respective Effects of the said Prisoners, before any Creditor or Creditors shall have any Share of the Prisoners Effects, and if the said Prisoners Effects shall not be sufficient to satisfy the Sheriffs their Imprisonment Fees, that then the said Prisoners, and every of them, whose Effects shall not be sufficient to pay and satisfy their Imprisonment Fees, as aforesaid, shall satisfy and pay to the Sheriffs the Residue of their Imprisonment Fees: *Provided,* That the Sheriffs shall not prosecute, detain, or imprison the said Prisoners, or any of them, within Three Years after his or their Release; any Thing contained in this Act to the contrary notwithstanding.

The Prisoners  
Effects to be sold  
by the Sheriffs.

IX. *AND be it further Enacted, by the Authority, Advice, and Consent aforesaid,* That whatever Estate, whether real or personal, any of the Prisoners aforesaid, shall surrender or give up to any of the Sheriffs, in whose Custody they are or shall be at the Time of their or any of their Discharge, shall, by the Sheriff or Sheriffs, in whose Custody such Prisoner or Prisoners shall be, in the Presence of one Magistrate of the particular County where such Prisoner shall be discharged, be exposed to public Sale and Sold to the highest Bidder; and that after the same be done, and the Sheriff or Sheriffs are paid, or secured to be paid, their Fees, the Residue shall be applied to the Creditors of such Prisoner or Prisoners that shall apply therefore, within thirty Days after the said Sale, in equal Proportion to their Demands.

Bonds, &c. be-  
longing to the  
Prisoners to be  
assigned to the  
Sheriff.

X. *AND be it further Enacted,* That all such Accounts, Bonds, Notes, or other Demands, any of the said Prisoners have against any Person or Persons whatsoever, be by the said Prisoner or Prisoners assigned to the Sheriff in whose Custody such Prisoner or Prisoners shall be, or are at the Time of their Discharge; and that such Sheriff or Sheriffs shall and may maintain an Action or Actions on such Demands, as Assignee of such Prisoner or Prisoners, in his own Name. *Provided always,* That such Creditor or Creditors demand of such Sheriff to sue, and give to such Sheriff a Bond to indemnify him against any Charge that may accrue to such Sheriff by Means of suing; and in Case of Recovery, that then the Sheriff make Distribution of what shall be recovered to the Person or Persons giving him such Security as aforesaid.

### A Supplementary Act to the Act, entitled, *An Act for repairing the Public Roads in this Province.*

Preamble.

I. **W**HEREAS it is represented to this General Assembly, that several Persons in Evasion of an Act of Assembly, entitled, *An Act for repairing the Public Roads in this Province,* made at a Session of Assembly, begun and held at the City of *Annapolis* the second Day of *October,* in the Year of our Lord One thousand seven hundred and fifty-three, have, since the passing the said Act, built Mills, and erected Dams for such Mills on Branches or Runs below the Places where public or main Roads crossed such Branches or Runs, by Means whereof the Waters are so stopped and interrupted in their Course, that the public or main Roads are become unpassable, to the great Prejudice of all those who have Occasion to pass and use such Roads:

II. *BE it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same,* That where any Person or Persons have, since the second Day of *October,* in the Year of our Lord One thousand