

An Act for the Relief of certain languishing Prisoners, in the several County Goals therein mentioned.

Preamble.

I. **W**HEREAS Thomas Gay, George Benson, James Horn, and Alexander Macmullen, languishing Prisoners in Worcester County Goal; Thomas Webb, John Bateman, and William Matherly, languishing Prisoners in Anne-Arundel County Goal; Pearce Tracey, John Barnat, Bigger Head, Jacob Tracey, and Thomas Thomson, languishing Prisoners in Frederick County Goal; James Fanning, Thomas Cloak, Edmund Low, Charles Mooney, Nicholas Seymore, and Nathaniel Wright, languishing Prisoners in Queen-Anne's County Goal; John Talbot, senior, a languishing Prisoner in Baltimore County Goal; Abraham Niwiffon, a languishing Prisoner in Saint Mary's County Goal; and Nicholas Dawson, a languishing Prisoner in Prince-George's County Goal; by their Petitions to this present General Assembly have set forth, That they have continued Prisoners for Debt in the Custody of the Sheriffs of the several Counties aforesaid, viz. Thomas Gay, George Benson, James Horn, and Alexander Macmullen, in the Custody of the Sheriff of Worcester County; Thomas Webb, John Bateman, and William Matherly, in the Custody of the Sheriff of Anne-Arundel County; Pearce Tracey, John Barnat, Bigger Head, Jacob Tracey, and Thomas Thomson, in the Custody of the Sheriff of Frederick County; James Fanning, Thomas Cloak, Edmund Low, Charles Mooney, Nicholas Seymore, and Nathaniel Wright, in the Custody of the Sheriff of Queen-Anne's County; John Talbot, senior, in the Custody of the Sheriff of Baltimore County; Abraham Niwiffon, in the Custody of the Sheriff of Saint Mary's County; and Nicholas Dawson in the Custody of the Sheriff of Prince-George's County; for a considerable Time past, and still continue in the like deplorable Circumstances, not being able to redeem their Bodies with all the Estate and Interest they have in the World, which they would readily surrender up and part with to their several and respective Creditors, if they would accept of the same, and grant the said Petitioners their Liberty, which seems so unlikely for them to obtain, that unless relieved by a particular Act, to be passed in their Favour, which, by their said Petitions, they have humbly prayed, that they must inevitably continue Prisoners for Life; and for that the Truth of the said Petitioners Allegations is made appear to this General Assembly, and that the said Petitioners are fit Objects of Charity, and that their lying in Goal can be no Advantage to their Creditors: It is humbly prayed that the said Petitioners may be relieved according to their Prayers, and that it may be Enacted,

Prisoners to be discharged on delivering up their Effects, on Oath.

II. *AND be it 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 unless all or any of the Creditors of the said Thomas Gay, George Benson, James Horn, Alexander Macmullen, Thomas Webb, John Bateman, William Matherly, Pearce Tracey, John Barnat, Bigger Head, Jacob Tracey, Thomas Thomson, James Fanning, Thomas Cloak, Edmund Low, Charles Mooney, Nicholas Seymore, Nathaniel Wright, John Talbot, senior, Abraham Niwiffon, and Nicholas Dawson, or the Creditor or Creditors of any or either of them, or the Attorney or Attorneys of such Creditor or Creditors aforesaid, within this Province, go to the Sheriffs of the Counties of Worcester, Anne-Arundel, Frederick, Queen-Anne's, Baltimore, Saint Mary's, and Prince-George's, within Ten Days next after the End of this Session of Assembly, and give good and sufficient Security to pay the Imprisonment Fees, as settled by Law, that shall or may become due from the said Prisoners respectively after the End of the said Ten Days, and also find the said Prisoners sufficient Meat, Drink, and Cloathing, during their future Imprisonment; and in Case they the said Prisoners shall deliver up and surrender, or cause to be delivered up and surrendered, to the Sheriffs of the Counties aforesaid, in the Presence of Two Justices of the Peace of the Counties aforesaid, whom the said Sheriffs are hereby required to summon, on the Request of the said Prisoners, at some convenient Time after the Receipt of this Act, not exceeding Five Days, all their Real and Personal Estate, either in Possession, Reversion, Remainder, or in Trust, or in or unto which they have any Claim or Interest whatsoever, and likewise before the Day beforementioned, convey, assign, transfer, and make over, unto the Sheriffs of Worcester, Anne-Arundel, Frederick, Queen-Anne's, Baltimore, Saint Mary's, and Prince-George's Counties, for the Use of the said Creditors, all such their Estate, Interest, or Claim, as aforesaid, after such Manner as by the said Sheriffs, and by the major Part of such Creditors, or of such of them as shall think fit to direct therein, or their Council learned in the Law shall reasonably devise or require, at the Costs and Charges of the Persons as shall claim Benefit thereof, so that the said Prisoners be not burthened with any Warranties thereby, other than from themselves, or those claiming by, from, or under them; and that the said Prisoners, at the Time of such their Surrender and Transferring their Estate as aforesaid, shall take their solemn Oaths (or Affirmation if Quakers) before the said Two Justices of the Courts of the Counties respectively aforesaid, to the Effect following, viz. " I A. B. do affirm or solemnly swear, That the Goods, Debts, and Effects, which I have delivered, assigned, and made over, to the Sheriff of _____ County, and in Trust for the Use of my Creditors, is the whole Estate, both Real and Personal, of my own in Possession, or have any Title to in the World; and that I have not any Estate, Goods, or Effects, of any Kind whatsoever left, either in Possession, Reversion, or Remainder (the necessary Wearing Apparel for myself, Wife, and Children, and Working Tools, excepted): And that I have not directly or indirectly sold, leased, or otherwise conveyed, disposed of, or intrusted, all or any Part of my Estate, thereby to defraud my Creditors, or to secure the same to receive or expect any Profit or Advantage thereof: So help me GOD." It shall and may be lawful for the Sheriffs of the Counties aforesaid, after the End of the said Five Days, and the said Sheriffs are hereby required to discharge the said Prisoners, and suffer them to go at large.*

The Oath.

III. *AND be it further Enacted by the Authority, Advice, and Consent aforesaid, That if the said Prisoners, or any of them, shall hereafter be imprisoned by Reason of any Judgment or Decree, obtained for the Payment*