

C H A P.
XXVIII.

in Thirty Days after the aforesaid Sale, in equal Proportion to their Demands.

Bonds, &c.
belonging to
the Prisoners
to be assigned
to the Sheriff.

X. And be it further Enacted, That all the Accounts, Bonds, Notes, and other Demands, which any of the said Prisoners have against any Person or Persons whatsoever, shall be by the said Prisoner or Prisoners assigned to the Sheriff in whose Custody such Prisoner or Prisoners shall be, 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, require and demand such Sheriff to sue, and give to such Sheriff a Bond to indemnify him against any Charge that may accrue to him by means of any such Suit; 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.

Prisoners, if
Single, to be
sold for Five
Years.

XI. And be it Enacted, by the Authority aforesaid, That if any of the Persons intended to be relieved by this Act, are and shall be of sufficient Ability of Body to Labour, such Person or Persons, not having a Wife or Family, shall be, and are hereby obliged to serve for a Time not exceeding Five Years, to any Person or Persons, who are, or shall be inclined to purchase the Time or Servitude of such Debtor or Debtors; and that the respective Sheriffs, in whose Custody the aforesaid Debtors or any of them are, be and are hereby authorized and obliged, to summon Two Justices of the Peace in the respective Counties, at the Request of the said Prisoners, as soon as conveniently may be after the Receipt of this Act, and after giving Five Days Notice at the Court-houses of the respective Counties, of the intended Sale of such Debtor or Debtors, expose to Sale in the Presence of the said Justices, such Debtor or Debtors, and the Time of his or their Servitude, to the highest Bidder; and the Money arising from such Sale, shall be as Effects of such Debtor or Debtors, in the Hands of the respective Sheriffs, subject as aforesaid, to a Distribution in Manner aforesaid; and the Sale and Service of such Debtor or Debtors as aforesaid, is hereby directed to be taken as a full and sufficient Acquittal and Discharge against all Debts due from such Debtor or Debtors, before such Sale: *Provided*, that in case it shall appear to the Satisfaction of the said Justices, that any of the said Debtors have offered, since their Confinement, to make Satisfaction to their Creditors by Servitude, and that their Creditors have refused to accept the same, that the Time such Debtors have been confined in Prison, shall be deemed and taken as Part of the aforesaid Five Years, and that they shall be obliged to serve only for such Time as will compleat Five Years from the Day of their Commitment to Prison: And that in case any such single Persons as aforesaid, have been confined in Prison for Five Years, or any longer Time, that the said Persons so confined, shall be discharged upon the same Terms, and in the same Manner, that Persons having Families are by this Act directed to be discharged.

C H A P. XXIX.

An ACT to aid Defective Common Recoveries.

Preamble.

WHEREAS many valuable Lands are held by the present Possessors, under Common Recoveries suffered by Tenants in Tail, and, in many Instances those Recoveries, although now grown Common Conveyances in this Province, have been so inartificially and defectively drawn, suffered, and executed, that the same are not aided by the beneficial and useful Provisions of the late Statute, entitled, *An Act to amend the Law concerning Common Recoveries*, and to explain and amend an Act made in the Twenty-ninth Year of the Reign of King Charles the Second, entitled, *An Act*