

shall and may discharge such Prisoner on Motion And if the said Prisoners or any of them shall be arrested or imprisoned on any process for the Recovery of any Debt Damages or Costs contracted owing or growing due before the end of this Session of Assembly the Court or Justice before whom such Process shall be returned shall and May discharge the Party arrested out of Custody on his or her Common appearance being entered without any Special Bail Provided that the discharge of the said Prisoners or any of them shall not acquit any other person from such Debt Damages or Cost or any part thereof but that all such persons shall be answerable for the same in such manner as they were before the Passing this Act—

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Provided always and be it Enacted that Notwithstanding the discharge of the said Prisoners or any of them all and every Debt or Debts due and owing from him her or them and all and every Judgment had or Decree obtained against him her or them shall stand and be good and Effectual in Law to all intents and purposes against the Lands Tenements and Hereditaments Goods and Chattels of him her or them and which he she or they or any other Person in trust for the use of him her or them had at the time of the Discharge of the said Prisoners or any of them or which he she or they at any time hereafter shall or may be any ways seized or Possessed of or interested in to his her or their own use or in his her or their own proper right either in Law or equity (except the Wearing Apparel Bedding and Working Tools of him her or them not exceeding the sum of Ten Pounds Current Money) And it shall and may be Lawful for any of their Creditors their Executors Administrators or Assigns to take out new Execution or Executions without any Scire facias Previous thereto 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 she 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

[Debts to stand good in Case, &c.]

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 their Performing their Duty in Pursuance of this Act he or they may Plead the General issue and give this Act and the Special Matter in Evidence and if the Plaintiff be Nonsuit or Discontinue his Action or Verdict pass against such Plaintiff or Judgment upon Demurer the Defendant shall have and Recover double Costs

[Actions of Escape.]

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

[Proviso, as to Escape.]

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