

CAP. XXVII.

An Act for the more effectual Relief of Creditors in Cases of Escapes, and for preventing Abuses in Prisons and pretended privileged Places.

VI. And be it further enacted by the Authority aforesaid, That from and after the said First Day of *May* no retaking on fresh pursuit shall be given in Evidence on the Trial of any Issue in any Action of Escape against the said Marshal or Warden, or their respective Deputy or Deputies, or against any other Keeper or Keepers of any other Prison or Prisons as aforesaid, unless the same be specially pleaded, nor shall any special Plea be taken, received, or allowed, unless Oath be first made in writing by the Marshal or Warden, or their respective Deputy or Deputies, or by such other Keeper or Keepers of any other Prison or Prisons as aforesaid, against whom such Action shall be brought and filed in the proper Office of the respective Courts, that the Prisoner for whose Escape such Action is brought did without his consent, privity, or knowledge make such Escape; and if such Affidavit shall at any Time afterwards appear to be false, and the Marshal or Warden, or other Keeper or Keepers of any other Prison or Prisons shall be convicted thereof by due course of Law, such Marshal or Warden, or other Keeper or Keepers of any other Prison or Prisons, shall forfeit the Sum of Five hundred pounds.

VII. And be it further enacted and declared by the Authority aforesaid, That if at any Time after the said First Day of *May* any Prisoner who is or shall be committed in Execution to either or any of the said respective Prisons, shall escape from thence by any Ways or Means howsoever, the Creditor or Creditors, at whose Suit such Prisoner was charged in Execution at the Time of his Escape, shall or may retake such Prisoner by any new *Capias*, or *Capias ad satisfaciendum*, or sue forth any other kind of Execution on the Judgment, as if the Body of such Prisoner had never been taken in Execution.

This Statute, relating to imprisonment for debt, need not further be noticed.