

in such Sort, Manner, and Form, as he, she, or they might have done; if the said *Thomas Worsley, Benjamin Freeman, John Vines, John Cornelius, Thomas Howard, Thomas Jacks, John Nicholson, James Mackintosh, Thomas Palmer, William Gray, Thomas Davis, John Smith, Anthony Oneallis, John Libby, and Alice Macklin*, or any of them had never been taken in Execution, or discharged by Virtue of this Act.

*AND BE IT ENACTED*, by the Authority aforesaid, That if any Action of Escape be brought against any Sheriff, or any Suit or Action be brought against any Justice or Justices, for performing their Office, in Pursuance of this Act, he or they may plead the General Issue, and give this Act, and the special Matter in Evidence. If the Plaintiff be Nonsuit, or discontinue his or her Action, or Verdict passed against such Plaintiff, or Judgment upon Demurrer, the Defendant shall have and recover double Cost.

*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, or any of them, from having or maintaining an Action of Escape against any Sheriff, who hath permitted any Escape, before the making of this Act.

*PROVIDED NEVERTHELESS*, That in Case the said *Thomas Worsley, Benjamin Freeman, John Vines, John Cornelius, Thomas Howard, Thomas Jacks, John Nicholson, James Mackintosh, Thomas Palmer, William Gray, Thomas Davis, John Smith, Anthony Oneallis, John Libby, and Alice Macklin*, or any of them, shall, at any Time after the making such their Oath or Oaths, or taking such Affirmation as aforesaid, be convict of wilful and corrupt Perjury thereupon, or of a wilful Breach or Non-compliance with the Tenour of such Oath or Affirmation as aforesaid, that then the said *Thomas Worsley, Benjamin Freeman, John Vines, John Cornelius, Thomas Howard, Thomas Jacks, John Nicholson, James Mackintosh, Thomas Palmer, William Gray, Thomas Davis, John Smith, Anthony Oneallis, John Libby, and Alice Macklin*, or such of them as shall be convicted as aforesaid, shall, upon such Conviction, be adjudged to stand Two Hours in the Pillory, and have his or her Left Ear cut off; and shall be wholly deprived of any Benefit designed him, them, or any of them, by this Law; and shall be from thenceforth liable to be prosecuted for any Debts or Demands whatsoever, in the same Manner, as if this Act had never been made. Any Thing therein contained to the contrary, notwithstanding.

*PROVIDED ALWAYS*, That the several Sheriffs, in whose Custody any of the Prisoners aforesaid are, shall be first satisfied their Imprisonment Fees, out of the respective Effects of the several Prisoners before named, (save such Effects as before are excepted,) for the Use of the said Prisoner or Prisoners, before any other Creditor or Creditors shall have any Share of the Prisoners Effects. And if the said Prisoners Effects shall not be sufficient to pay and satisfy to the Sheriff his Imprisonment Fees, that then each respective Prisoner shall, after his or her Release out of Prison, be liable to pay and satisfy unto the Sheriff, the Residue of his Imprisonment Fees; provided, that the said Sheriff shall not prosecute or imprison such Prisoner within Two Years after his or her Release. Any Thing in this Act to the contrary, notwithstanding.

SAVING