

*Penn, Joseph Macclester, and Patrick Mac Vay, or any of them, had not been taken in Execution or Dilcharged by virtue of this Act.*

Justices and  
Sheriffs to  
plead this  
Act in  
Actions of  
Escape, &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 the performing their Office in Pursuance of this Act, he may Plead the General Issue, and give this Act and the Matter in Evidence, and if the Plaintiff be Non-suit, or discontinue his Action, or Verdict pass against such Plaintiff, or Judgment upon Demurrer, the Defendant shall have and recover his full Costs.*

Provido.

*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 of this Act.*

Persons intended to be  
reliev'd by  
this Act, if  
perjur'd, not  
to receive any  
benefit  
therefrom.

*Provided nevertheless, That in Case the said Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Basfoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay, or any of them, shall at any time after making such his Oath or Oaths, or taking such his Affirmation or Affirmations, as aforesaid, be Convict of wilful and corrupt Perjury thereupon, or of a wilful Breach or Noncompliance with the tenor of such Oath or Affirmation as aforesaid, that then the said Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Basfoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay, or any of them, being Convicted as aforesaid, shall upon such Conviction as aforesaid, be wholly deprived of any Benefit intended to him or them by this Law, and shall from thenceforth be liable to be prosecuted for any Debt or Demands whatsoever, in the same manner as if this Act had never been made; any thing to the contrary notwithstanding.*

Sheriff's Fees  
to be first  
paid out of  
the Prisoners  
Effects.

*Provided always, That the Sheriffs of Anne-Arundel, Somerset, and Cæcil, Counties, shall be first satisfied their Imprisonment Fees, out of the respective Effects of the said Prisoners, before any Creditor or Creditors shall have any share of the Prisoners Effects, and if the said Prisoner's Effects shall not be sufficient to satisfy the Sheriffs their Imprisonment Fees, that then the said Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Basfoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay, or any of them, shall Satisfy and Pay to the Sheriffs the residue of their Imprisonment Fees, provided that the said Sheriffs shall not Prosecute, Detain or Imprison the said Nicholas Hammond, Peter Topping, Edward Cooley, Henry Templeman, William Basfoot, Anne Rind, Mary Penn, Joseph Macclester, and Patrick Mac Vay, or any of them, within Two Years after his or their Releasement; any thing in this Act contained to the contrary notwithstanding.*

*And be it further Enacted by the Authority aforesaid, That if any of the Persons intended to be Relieved by this Act, are and shall be of sufficient*