

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.

C H A P.
XXVIII

V. 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 non-suit, or discontinue his Action, or Verdict pass against such Plaintiff, or Judgment upon Demurrer, the Defendant shall have and recover double Costs.

Actions of
Escape.

VI. 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.

Provido, as to
Escape.

VII. Provided nevertheless, That in case any of the said Prisoners, shall at any Time after making such Oath or Affirmation as aforesaid, be convicted of wilful and corrupt Perjury thereupon, or of a wilful Breach or Non-compliance with the Tenor of such Oath, or Affirmation, as aforesaid, that then the said Prisoner, shall upon such Conviction as aforesaid, be wholly deprived of any Benefit intended to him, her, or them, by this Act, 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.

In case of
Perjury.

VIII. Provided also, That the respective Sheriffs of the Counties aforesaid, shall be first paid and satisfied for their Imprisonment Fees, before any Creditor or Creditors shall have or receive any Share or Part of the Estates of the said Prisoners, respectively, or of the Produce thereof.

Sheriffs Fees
to be first
paid.

IX. And be it further Enacted, That after Public Notice given, by Advertisements set up at the Court-House Door of the County, Thirty Days at the least, of the Sale of any of the said Prisoners Lands, and Five Days at the least, of the Sale of any of the said Prisoners other Estate, the said Sheriffs, to whom any of the said Estates, Real or Personal, shall be surrendered and delivered up in pursuance of this Act, shall set up and expose such Estates to Sale, by way of Public Vendue, in the Presence of One Justice of the Peace, and the Produce arising by such Sale, shall be, by the said Sheriffs, in Manner following paid and satisfied, (that is to say) after Satisfaction of the aforesaid Imprisonment Fees, that the Estate and Interest of the aforesaid Prisoners respectively, upon which their Judgment Creditors, or any claiming, or that shall claim under them, by Assignment or otherwise, have or shall have any Lien or the Produce thereof, shall be, in the first Place, after Satisfaction of the Sheriffs as aforesaid, applied to the Discharge of the said Creditors, according to the Order and Priority of their Judgments, and the Lien arising therefrom; and that the Residue of the Estate and Interest of the said Prisoners respectively, or the Produce thereof, shall be distributed among all their Creditors that shall apply therefor, with-

Notice to be
given of the
Sale of the
Prisoners E-
states, &c.