

this Session of Assembly, the Court out of which such Proceſs iſſued 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, Damage 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.

C H A P.
XII.

IV. *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 Way ſeiſed 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, and 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.

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 him, or Judgment upon Demurrer be rendered againſt him, the Defendant ſhall have and recover double Coſts.

Action 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 convict 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

In Caſe of
Perjury.