

or their own Use, or in his or their own proper Right, either in Law or Equity, (except the wearing Apparel, and Bedding, of him the said Thomas Barkley, not exceeding the Sum of Ten Pounds Current Money,) and it shall and may be lawful for any of his Creditors, their Executors, Administrators and Assigns, to take out new Execution or Executions against the Lands, Tenements, Hereditaments, Goods and Chattels, of the said Thomas Barkley, (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 Thomas Barkley had not been taken in Execution, or discharged by Virtue of this Act.

Liber H. S.  
No. I

And be it further Enacted, 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 Nonsuit, or discontinue his Action, or Verdict pass against such Plaintiff, or Judgment upon Demurrer, the Defendant shall have and recover his full Costs.

[Actions of  
Escape.]

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Provided also, That nothing in this Act shall extend, or be construed to extend, to bar any Creditor or Creditors of the said Thomas Barkley, from having and maintaining any Action of Escape against any Sheriff, who hath permitted any Escape before the making of this Act.

[Proviso.]

Provided nevertheless, That in Case the said Thomas Barkley shall, at any Time after making such his Oath as aforesaid, be convict of wilful and corrupt Perjury thereupon, or of a wilful Breach or Noncompliance with the Tenor of such Oath as aforesaid, that then the said Thomas Barkley, being convicted as aforesaid, shall, upon such Conviction as aforesaid, be wholly deprived of any Benefit intended to him 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 therein contained to the contrary notwithstanding.

[If perjur'd,  
not to re-  
ceive any  
Benefit from  
this Act.]

Provided always, That if the Sheriff of Kent County shall be first satisfied his Imprisonment Fees, out of the Effects of the said Thomas Barkley, before any Creditor or Creditors shall have any Share of the said Thomas Barkley's Effects, and if the said Thomas Barkley's Effects shall not be sufficient to satisfy the Sheriff his Imprisonment Fees, that then, the said Thomas Barkley shall satisfy and pay to the Sheriff the Residue of his Imprisonment Fees: Provided also, That the said Sheriff shall not prosecute, detain or imprison, the said Thomas Barkley within Three Years after his

[Sheriff's  
Fees to be  
first paid.]