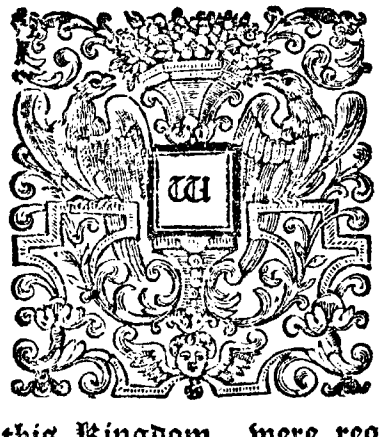
Anno vicesimo nono

Georgii II. Regis.

An Act to obviate a Doubt arisen on an Act made in the last Session of Parliament, intituled, *An Act for Relief of Insolvent Debtors*; and for Relief of Sheriffs and Keepers of Prisons, in respect to Escapes of such Persons as were prevented by the said Doubt from being discharged under the said Act.



WHEREAS by an Act passed the last Session of Parliament, intituled, An Act for Relief of Insolvent Debtors; it is (amongst other Things) enacted, That all Sheriffs, Gaolers, or Keepers of Prisons in any County, Riding, Division, City, Town, and Liberty, within this Kingdom, were required to make an exact alphabetical List of the Names of all such Persons who Preamble.

on the First Day of January, One thousand seven hundred and fifty five, were in their actual Custody, together with the Names of the Persons at whose Suit such Prisoners were detained, and deliver the same upon Oath to the Justices at their First General or Quarter Sessions to be held after the Thirty first Day of March, One thousand seven hundred and fifty five; as also to fix upon the Gate of the said Prisons true Copies of the said Lists Ten Days before the said Sessions: And it was thereby further enacted, That the Persons whose Names were inserted in such Lists, and who at the Time in the said recited Act mentioned were in the actual Custody of any Sheriff or Sheriffs, Gaoler or Gaolers, Keeper or Keepers of Prisons, taking the Oath, and giving such Notice to their Creditors as the said Act requires, might be released and discharged from their Imprisonment: And whereas it was in most Places impracticable for Sheriffs, Gaolers, or Keepers of Prisons to deliver in Lists at the Time directed by the said Act, as the First General or Quarter Sessions next after the Thirty first Day of March, One thousand seven hundred and fifty five, was held before the said Act passed into a Law: And whereas a Doubt has arisen, whether the Justices in any General or Quarter Sessions of the Peace held for any County, Riding, Division, City, Town, or Liberty, within this Kingdom, had, by the said above recited Act, a Power to discharge any Prisoner or Prisoners at any General or Quarter Sessions held subsequent to that held after the Thirty first Day of March, One thousand seven hundred and fifty five; and whether the Discharges of Prisoners by the Justices, in pursuance of the said recited Act, have been legal: And whereas the Justices of the Peace for the County Palatine of Lancaster, by reason of such Doubt, have absolutely refused to discharge the Prisoners in the Gaols of their several Jurisdictions; which Case may likewise have happened in other Places, whereby they are still detained in a loathsome Prison: And whereas notwithstanding such Doubt the Justices in many Counties have proceeded

to discharge, and have discharged Prisoners from many Gaols in this Kingdom, at the Sessions held subsequent to that held next after the Thirty first Day of March, One thousand seven hundred and fifty five: To obviate which Doubt, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the Justices of the Peace for any County, Riding, Division, City, Town, or Liberty, within this Kingdom, at their General or Quarter Sessions of the Peace, to be held for such County, Riding, Division, City, Town, or Liberty, after the passing of this Act, or at any subsequent General or Quarter Sessions (within the Time limited by the said recited Act) to direct and order the Sheriff or Sheriffs, Gaoler or Gaolers, Keeper or Keepers of Prisons, to bring up any Person or Persons, who was, or were, in their actual Custody, on the First Day of January, One thousand seven hundred and fifty five; and upon such Prisoner or Prisoners pursuing the Directions of the said former Act, such Justices may (if they see just Cause) release and discharge such Prisoner or Prisoners from their Imprisonment; any thing in this or the said former Act to the contrary notwithstanding.

Justices at their Quarter Sessions, may order Prisoners for Debt on 1 *Jan.* 1755, to be brought before them, to be discharged on their conforming to the recited Act.

And be it further enacted by the Authority aforesaid, That in case any Action has been, or shall be brought against any Sheriff, Gaoler, or Keeper of any Prison, on account of the Escape of any such Prisoner so detained as aforesaid, the Defendant in such Action, upon Proof made that such Prisoner had complied, as far as in him lay, with all the Directions of the said Act, and was detained in Custody, only by reason of the said Doubt, shall not be liable to answer or make Satisfaction to the Plaintiff, to any greater Amount than the Value of the Estate and Effects comprized in the Schedule given in and sworn to by such Prisoner, pursuant to the Directions of the said Act, in case the whole shall appear to have been wasted or secreted, or the Value of so much

Sheriff or Gaoler sued for Escape of Prisoner, who had complied with the recited Act,

liable only for the Estate or Effects wasted or secreted since Delivery of Prisoner's Schedule.

much thereof, as shall appear to have been wasted or secreted, subsequent to the Time when such Schedule was delivered to the Clerk of the Peace.

Discharges of Prisoners in pursuance of the recited Act, declared to be valid.

And be it further enacted by the Authority aforesaid, That all Discharges of Prisoners by the Justices of the Peace in pursuance of the herein before recited Act, where such Prisoners have complied with every Direction of the said Act, are hereby declared to be good and legal Discharges, to all Intents and Purposes; and such Justices, and all Sheriffs, Gaolers, Keepers of Prisons, and every other Person or Persons, acting under them, are hereby indemnified for what they may have done in pursuance thereof, in the same Manner as if no such Doubt had arisen.

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FINIS.