

the debtor is in custody, (naming it) and fifty pounds more over and above what will pay all his debts, or where there are more than two sureties, then that each surety shall make oath as aforesaid, that he is a frecholder or householder as aforesaid, and is worth one half the sum for which the debtor is in custody, (naming it) and fifty pounds more, over and above what will pay all his debts. 5

On receipt of such security Sheriff may allow the debtor the limits without being liable for an escape.

CCXXXI. Upon receipt of such bond, accompanied by an affidavit of a subscribing witness of the due execution thereof, and by the sureties' affidavits of solvency, if required by the Sheriff, it shall be lawful for the Sheriff to permit and allow the debtor to go out of close custody in Gaol, into and upon the Gaol limits, and so long as such debtor shall remain within the said limits without departing therefrom, and shall in all other respects observe, fulfil and keep on his part the condition of the said bond, such Sheriff shall not be liable to the party at whose suit such debtor was confined, in any action, for the escape of such debtor from Gaol. 10 15

If the sureties become insolvent, &c., Sheriff may re-take the Debtor, &c.

CCXXXII. In case the Sheriff shall have good reason to apprehend that such sureties, or either of them have, after entering into such bond, become insufficient to pay the amount severally sworn to by them, it shall be lawful for him again to arrest the debtor, and to detain him in close custody, and the sureties of such debtor may plead such arrest and detention in bar of any action to be brought against them upon the bond so entered into by them, and such plea if sustained in proof shall wholly discharge them from such action; Provided always, that such debtor may again obtain the benefit of the Gaol limits, on giving a new bond with sureties as aforesaid, to the Sheriff. 20 25

Proviso.

In case of breach, Sheriff may be required to assign the Bond, and on doing so shall be discharged from liability.

CCXXXIII. Upon any breach of the condition of such bond, the party at whose suit the debtor is confined, may require the Sheriff to assign the same to him, which assignment shall be made in writing, under the seal of the Sheriff, and attested by at least one witness, and the assignee of the Sheriff or the executors or administrators of such assignee, may maintain an action in his or their own names upon such bond, which action the Sheriff shall have no power to release, but upon executing such assignment at such request, the Sheriff shall be thenceforth discharged from all liability on account of the debtor or his safe custody. 30 35

Sureties may make or tender a surrender of the Debtor.

CCXXXIV. The sureties of any such debtor may surrender him into the custody of the Sheriff at the Gaol, and it shall be the duty of the Sheriff, his Deputy or Gaoler, to receive such debtor into custody, and the sureties may plead such surrender or an offer to surrender, and the refusal of the Sheriff, his Deputy or Gaoler to receive such debtor into custody at the Gaol, in bar of any action brought on the bond for a breach of the condition happening after such surrender or tender and refusal, and such plea, if sustained in proof, shall discharge them from any such action: Provided always, that such debtor may again obtain the benefit of the limits on giving a new bond with sureties as aforesaid, to the Sheriff. 40 45

Proviso.

Debtor on limits bound to answer interrogatories.

CCXXXV. The party at whose suit any debtor is confined, may at any time while the debtor enjoys the benefit of the limits, fyle and serve such interrogatories, to be answered by such debtor in manner aforesaid, and in case such debtor shall neglect or omit for the space of fifteen days next after service thereof, to answer such interrogatories and to fyle the answers, and to give immediate notice of such fying to the party at whose 50