

appear to the Judges and Justices upon Oath made, that the Witnesses for the King could not be produced the same Term, Sessions or General Gaol-Delivery. (2.) And if any Person or Persons committed as aforesaid, upon his Prayer or Petition in open Court, the first Week of the Term, or first Day of the Sessions of Oyer and Terminer, and General Gaol-Delivery, to be brought to his Trial, shall not be indicted and tried the second Term, Sessions of Oyer and Terminer, or General Gaol-Delivery, after his Commitment, or upon his Trial shall be acquitted, he shall be discharged from his Imprisonment.

VIII. Provided always, That nothing in this Act shall extend to discharge out of Prison any Person charged in Debt, or other Action, or with Process in any Civil Cause, but that after he shall be discharged of his Imprisonment for such his criminal Offence, he shall be kept in Custody according to Law for such other Suit.

IX. Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons Subjects of this Realm, shall be committed to any Prison, or in Custody of any Officer or Officers whatsoever, for any criminal or supposed criminal Matter, that the said Person shall not be removed from the said Prison and Custody, into the Custody of any other Officer or Officers; (2.) Unless it be by Habeas Corpus, or some other legal Writ; or where the Prisoner is delivered to the Constable or other inferior Officer, to carry such Prisoner to some common Gaol. (3.) Or where any Person is sent by Order of any Judge of Assize, or Justice of the Peace, to any common Work-house, or House of Correction: (4.) Or where the Prisoner is removed from one Prison or Place to another within the same County, in order to his