

1669
An Act Limitting the Extent of Attachments
and Providing what shall be Levied upon
Attachments & Executions

Wee the Delegates of the Lower house of this present Generall Assembly having taken into our serious Consideration the many mischiefs and inconveniences accruing to the good people of this your Lordships Province and other Merchants trading in and thereunto by Reason of Attachments issued out of the Provinciaall & County Courts of this Province grounded upon an act of Assembly hold at Saint Johns the fourth day of March one thousand six hundred forty seven Intituled an act touching the Extent of Attachments and Executions whereby amongst other things itt is Enacted that no Attachments shall or may be laid upon any the goods and Chattels of any Inhabitant within this Province Except the true owner thereof be not at that time Resident or dwelling within this Province by Colour of the Authority of which Act there being no certain Rule prescribed for proceeding upon such Attachments the Estates of severall people of this Province have in their absences out of the Province beene condemned and Levied without the parties Privity or making any defence by himselfe or his Attorney and the said party or parties soe absent are by the practices of the said severall Courts Excluded and Debarred from making any Just defence against the said Attachments (though Issued out upon very slender proof and security unless he or they by him or themselves or his or their Attorney come within ayday and aday after the said Attachments Issued out and make such their defences to the great prejudice and almost utter Ruine of many of the good people of this Province and Merchants trading therein and thereunto

Wee doe humbly pray that itt may be Enacted And Bee itt Enacted by the Right Hon^{ble} the Lord Proprietary of this Province by and with the advice and assent of the upper and lower house of this present Generall Assembly ordained and Enacted that from and after the Publication hereof all and every person and persons whatsoever Inhabitants within this Province and all and every the Merchants trading hither and leaving Effects here that shall depart this Province that all and every such person Inhabitant and Merchant that shall soe depart this Province shall before their departure make Constituto and ordaine one or more Attorney or Attorneys for them in all actions writts or plaints whatsoever to be brought ~~against~~ against them by any other person or persons whatsoever in any Court or Courts whatsoever And the said Letter of Attorney to be Record in the Provinciaall Court and in the County Courts where they did last Remayne and Inhabit before he or they shall be admitted to have any passe to Lyons such he or their departure and that no Attachments shall be laid upon any the goods or Chattels of any Inhabitant within this Province Except he or they