

shall think fit. It shall and may be lawful for the Justices of the Peace or the Courts to award an Attachment upon the Goods, Chattels and Credits of the said absent Defendant, so as a bill and process shall not appear in the said Action, which are or shall be in the hands and possession of any person or persons whatsoever, yea even in the Plaintiffs own hands for the Defendants use in this Province, in which said Attachment there shall be a Clause commanding the Justices of the respective County's at the time of executing the said Attachment, to be known to each person or persons in whose hands and possession the said Goods, Chattels and Credits so as aforesaid in their hands attached should not be taken and Execution thereof had and made as in other cases of Recovery, and Attachment given in Courts of Record, at which Day of Return of the said Attachment, if the said Defendant shall not then appear, nor the Garnishee in whose hands the aforesaid Goods, Chattels and Credits of the Defendant were attached, for show cause to the contrary, the respective Courts shall and may condemn the said Goods, Chattels and Credits aforesaid, so as aforesaid attached and awarded, Execution thereof to be had and made, either by *Capias ad satisfaciendum fieri factum* or otherwise as in other judgments, he the said Plaintiff so prosecuting as aforesaid, giving good and sufficient Security, before the Justices of each respective Court to and for the use of the said Defendant so as aforesaid, being not found within this Province or absent out of this Province as aforesaid, to make Restitution of the said Goods, Chattels or Credits so as aforesaid condemned or the value thereof if the Defendant so as aforesaid prosecuted, shall at any time within one Year and a Day to be accounted from the Day of the said Attachment awarded, come in and either in Person, or by Attorney appear to the said Original Action against him, and make it appear that the said Plaintiff hath been and is satisfied and paid the Debtor Demand in the said Action, or shall otherwise in Court discount or bar the said Plaintiff of the Part or any part thereof, which said Contemner and Execution of the said Goods, Chattels or Credits of the said Defendant, in the Hands of the Garnishee or Garnishees as aforesaid has and made, shall be lawful and pleasurable in Law, by the said Garnishee or Garnishees in any Action brought against him or them by the said Defendant for the same.

Provided always that no Sheriff shall Levy by way of Execution as aforesaid, against any the said Garnishee or Garnishees any more than the Plaintiffs Debt and Costs, against any Garnishee or Garnishees then what the said Plaintiff in the said Action shall make appear to the said respective Courts, to be of the said Goods, Chattels and Credits of the said Defendant in the Hands of each respective Garnishee or Garnishees, together with such Costs only as the Garnishee or Garnishees shall put the Plaintiff to, by leaving himself to be indebted unto such Defendant and consenting the same. Provided also that no Sheriff in any County within this Province, shall by any Attachment or any other Execution had upon such Attachments, or any other Execution whatsoever, ~~but~~ of any Court of this Province Levy, Seize or take the Goods and Chattels of any the Inhabitants within this Province, so far as to deprive them of all Livelihood for the future, but that Corn for necessary Maintenance, Bedding, Gun, Ax, Pot and Labourers necessary Tools, and such like Household Implements and Ammunition for Subsistence shall be protected, from all Attachments and Execution whatsoever.

Provided also that such as shall be found by proof or other Circumstances, willfully to absent themselves into the Woods or elsewhere from the Sheriffs Sight, whereby they cannot be found to be brought to Tryal, and such also as shall be absent by Flight or Evasion from the Sheriff, shall have no benefit of any favourable Interpretation of this Law.

And be it enacted by the Authority aforesaid, That from henceforth any person or persons having obtained any Judgment in any Court of this Province, or that shall hereafter obtain any Judgment in any Court of this Province against any person or persons, shall and may be lawful to and for the said Plaintiff in the said Judgment, or in any other Judgment, instead of any other Execution, without any Writ or Return, as above in this Act pretended and directed, to take out an Attachment against the Goods, Chattels and Credits of the said Defendant in the said Judgment, in the said Plaintiff own Hands, or in the Hands of any other person or persons whatsoever, which said Attachment shall likewise in the said Judgment, commanding the Sheriff of the said County to whom