

said Defendant shall not then appear, nor the Garnishee, in whose Hands the aforesaid Goods, Chattles and Credits of the Defendant were Attached, to shew Cause to the Contrary, the respective Courts shall and may condemn the said Goods, Chattles and Credits, so as aforesaid Attached, and award Execution thereof, to be had and made by *Capias ad Satisfaciendum*, *Fieri Facias*, 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, to make Restitution of the said Goods, Chattles and 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 said Attachment awarded, come in, and either in Person or by Attorney, appear to the said Original Action, and make it appear that the said Plaintiff hath been and is Satisfied and paid the said Debt or Demand in the said Action, or shall otherwise in Court discount or barr the said Plaintiff of the same, or any part thereof; which said Condemnation and Execution of the said Goods, Chattles or Credits of the said Defendants, in the Hands of Garnishee or Garnishees, as aforesaid, had and made, shall be Sufficient and Pleadable in Barr by the said Garnishee or Garnishees, in any Action brought against him or them, by the said Defendant, for the same.

And executed by Ca-sa.Fi.sa. &c.

The Plaintiff giving security for restitution if Cause shewn within a Year,

Which said Condemnation and Execution shall be pleadable in Barr Garnishee.

The Sheriffs Duty therein

Costs against Garnishee.

Necessary Tools and Implements for subsistence exempt from Attachments and Executions.

Unless in Case of persons absconding.

How such Attachments may issue on Judgment instead of any other execution.

*Provided always*, That no Sheriff shall levy, by way of Execution, as aforesaid against the said Garnishee or Garnishees, any more then the Plaintiff's Debt and Cost, nor against any Garnishee or Garnishees, than what the said Plaintiff in the said Action shall make appear to the said respective Courts to be of the said Goods, Chattles and Credits of the said Defendants, in each respective Garnishee or Garnishees Hands, together with such Costs only, as the Garnishee or Garnishees shall put the Plaintiff to, by denying him or themselves to be indebted to such Defendant and contesting the same.

*Provided also*, That no Sheriff in any County within this Province, shall, by any Attachment, or any other Execution had upon such Attachment, or any other Execution whatsoever, levy, seize or take the Goods and Chattles of any the Inhabitants of 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 Executions whatsoever.

*Provided also*, That such as shall be found by positive Proof, or other Circumstances, wilfully to absent themselves or abscond in the Woods, or else where, from the Sheriffs Sight, whereby they cannot be found to be brought to Tryal; and such also as shall be absent by Flight or prescription, out of this Province, to be averred upon Oath, 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 a 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, it shall and may be lawful to and for the said Plaintiff in the said Judgment, at his Will and Pleasure, instead of any other Execution, without those previous Requisites, as above in this Act prescribed and directed, to take out an Attachment against the Goods, Chattles and Credits of the said Defendant in the said Judgment, in the said Plaintiffs own Hands, or in