

found within this province, 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 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 debt or demand in the said action, or shall otherwise in court discount or bar the said plaintiff of the same, or any part thereof; which said condemnation and execution of the said goods, chattels or credits, of the said defendant, in the hands of garnishee or garnishees as aforesaid had and made, shall be sufficient and pleadable in bar, by the said garnishee or garnishees, in any action brought against him or them by the said defendant for the same.

SEC. 4. *Provided always*, That no sheriff shall levy, by way of execution as aforesaid, against the said garnishee or garnishees, any more than 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, chattels and credits of the said defendant 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. Proviso.

SEC. 5. Repealed by 1820, ch. 198, sec. 5.

SEC. 6. *Provided also*, That such as shall be found by positive proof, or other circumstances, wilfully to absent themselves, or abscond in the woods or elsewhere from the sheriff's sight, whereby they cannot be found to be brought to trial, and such also as shall be absent by flight or proscription out of this province, to be averred upon oath, shall have no benefit of any favourable interpretation of this law. Proviso.

SEC. 7. *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, chattels and credits of the said defendant in the said judgment, in the said plaintiff's own hands, or in the hands of any other person or persons whatsoever; which said attachment shall likewise have the clause aforesaid, commanding the sheriff of the said county to whom it shall be directed, at the time of executing the said attachment, 'to make known After judgment, attachment may be taken out, &c.