

## SESSIONAL PAPER No. 18

pounds sterling Money of Great Britain upon due proof before him or them made of the distressed Circumstances of any Defendant or Defendants in any Action to indorse upon the same his or their Order to the Bailif or other Person as aforesaid commanding him to levy and raise the Sum for which the Writ is awarded by Installments in such proportions and at such days and times as to him or them shall seem meet.

Provided nevertheless that the whole of the Time so allowed and given shall not exceed the space of three Months from the day of the date of awarding such Writ of Execution.

And if it shall appear upon due proof thereof made before the Judge or Judges issuing and awarding such Execution as aforesaid that the Defendant or Defendants hath or have at any time after the Service of any Declaration and Writ of Summons as aforesaid conveyed away or secreted all or any part of his or their Goods or Effects in order to defeat the Plaintiff or Plaintiffs of his or their demand then and in such Case it shall and may be lawful to and for the said Judge or Judges to award a Writ of Execution immediately against the Body and Bodies of such Defendant and Defendants directed to the Bailiff or other Person as aforesaid commanding him to arrest the said Defendant or Defendants and him or them to convey to the Common Gaol of the District there to remain till such Debt and Costs be fully satisfied or other Order be made by the said Court for his or their deliverance.

And it is further Enacted and Ordained that no Appeal whatsoever shall lie from any of the Courts of Justice in this Province for any Matter or Thing where the Cause of Action shall not exceed the Sum of Ten pounds sterling Money of Great Britain and where no Title to Land is in Question but the Sentence of every such Court in all Matters where the Cause of Action shall not exceed the Sum of Ten pounds and where no Title to Land is in Question as aforesaid shall be final and conclusive without any Appeal Revision or further Contestation before any other Court whatsoever.

And whereas many Parts and Places of the Province now in and advanced State of Cultivation and Settlement particularly the Forts of Michilimacinac and Detroit and the Settlements at Gaspée in the Bay of Chaleurs on the Coast of Labrador in some of which large Fisheries are established and in others a very extensive and profitable Trade is carried on are so great a distance from the Court of Common Pleas herein before established as to be in a Manner almost wholly deprived of the Protection Benefits and Advantages of their Jurisdiction and Authority.