

veyance of such lands or interest therein as is mentioned in such deed.

Return to be made by the Sheriff selling lands.

XII. And be it enacted, That as soon as any Sheriff or officer shall have made and completed any sale of lands under the provisions of the law before the passing of this Act, or of any interest whatever in lands under this Act, it shall be his duty to return to the Court of *Queen's Bench* a Schedule containing a memorandum of the Court whether Superior or Inferior, and the style of the cause in which such execution shall have issued, the description of the lands he shall have sold, the name of the purchaser, and of the party in possession, which return shall be certified under his hand and seal of office; and in case it shall appear by such Schedule that the party against whose lands such execution issued, is in the actual possession thereof, it shall and may be lawful for the Court of *Queen's Bench* or any Judge thereof in vacation, forthwith to order a writ or warrant in the nature of a writ of *habere facias possessionem* to issue, commanding the Sheriff or officer charged therewith to put the purchaser in possession of the lands mentioned in such Schedule. 5 10 15 20

Writ of *habere facias possessionem* may be obtained in certain cases.

Sales and assignments under this Act, not to affect the rights of third parties.

XIII. And be it enacted, That the sale and assignment of any *chose* in action or other personal property, or of any interest in, or security upon lands or hereditaments, or the transfer of the possession of any lands under this Act, shall not be held to prejudice the rights of any party, other than the party against whose goods and chattels, or lands and tenements such writs of execution shall have issued; and the purchaser of any *chose* in action, or personal property, or interest in, or security upon lands or hereditaments, shall hold the same subject to the same legal rights, and to the same equities, as they were held respectively by the original party; and the transfer of the possession of any lands under this Act shall not prejudice any person otherwise interested in the lands. 25 30 35

When the return is "no goods," or "no lands," and the judgment remains unsatisfied, the defendant may be examined on interrogatories.

Notices to be endorsed on the interrogatories.

XIV. And be it enacted, That in all cases in which any execution against goods or lands shall be returned "no goods" or "no lands" respectively, and the judgment shall remain unsatisfied, it shall be lawful for the party whose judgment shall so remain unsatisfied, to file such interrogatories as he shall see fit in the office of the Clerk of the Crown or of the County Court of the County in which such party resides, and to serve a copy of such interrogatories on the party against whom such judgment remains unsatisfied, touching his property of every description and means of satisfying such judgment, endorsed upon or attached to which interrogatories, shall be a notice to the effect that in case the party to be interrogated shall neglect or refuse to answer such interrogatories within ten days after the service thereof, or shall answer them falsely or evasively, then, that a writ will issue to commit him to close custody until he shall be 40 45 50