

applying for his discharge, or to any witness or witnesses, in like manner as if such party were out upon bail on mesne process, and had come up for examination as in such case is hereinbefore provided.

Powers of
Court or
Judge in such
case.

V. And be it enacted, That upon such examination 5
being had, it shall be lawful for such Court or Judge to
make such order thereon as if such party had been out
on bail and come up for examination as aforesaid;
Provided always, that no such order of such Court or
Judge so to be made as aforesaid, shall discharge the 10
party so in custody on such attachment or other process
from the payment of the sum which such party had been
directed to pay as aforesaid; but that the same shall be
levied and collected by such process against the lands,
tenements, goods, chattels, monies, rights and credits, as 15
the Superior Courts of Law and Equity shall prescribe in
that behalf.

Proviso.

No person to
be imprisoned
merely for
non-payment
of costs:—
proceedings
in such case.

VII. And be it enacted, That no person shall hereafter
be arrested or held to bail on any process of attachment
for contempt for the non-payment of costs merely, which 20
shall or may be entered to be paid in the progress of any
suit, either at law or in equity; but that, in lieu of any
such process, it shall be lawful for Her Majesty's Supe-
rior Courts of Law and Equity to prepare and adapt to
the circumstances of the case, such a form of execution, 25
attachment, warrant of distress or other process, against
the lands and tenements, goods, chattels, money, debts,
credits and effects of any person so ordered to pay such
costs, as to such Courts shall seem meet.