

737.

suit he is in custody, or to the Attorney of that party, the Court or a Judge as aforesaid, may make a rule or order for such debtor's being committed to close custody, and it shall be the duty of the Sheriff on due notice of such rule or order, forthwith to take such debtor and re-commit 5 him to close custody until he shall obtain a rule of Court or Judge's order for again admitting him to the limits, on giving the necessary bond as aforesaid, (which rule or order may be granted on the debtor's shewing that he has fyled his answers to such interrogatories, and has given to the Plaintiff or his Attorney ten days notice thereof, and of his 10 intention to apply,) or until he shall be otherwise discharged by due course of law.

Penalty for refusal.

CCXXXVI. The party at whose suit any debtor is confined in execution, may, whenever such debtor shall take the benefit of the limits, sue out any execution against his lands or goods, notwithstanding such 15 debtor was charged in execution, and such execution shall not be stayed, but shall be proceeded with until executed, although such debtor has been re-committed to close custody; Provided always, that the wearing apparel of such debtor and that of his family, and their beds and bedding, and household utensils, not exceeding together the value of ten pounds, 20 and the tools and implements of the trade of such debtor, not exceeding in value five pounds, shall be protected from such subsequent execution.

Plaintiff may have execution against property of Debtor on the limits.

Proviso. Exemption from execution.

CCXXXVII. None of the foregoing provisions relative to the weekly allowance, discharge from custody on account of insolvency or Gaol limits, shall extend or be applicable to debtors who shall, at the same 25 same time be in custody upon any criminal charge.

Foregoing provisions not to extend to persons in custody, &c., on criminal charge.

CCXXXVIII. Every person who shall swear falsely in making any answer or other statement on oath relative to the matters contained in the next preceding Section, (which oaths every Commissioner for taking affidavits in either of the Superior Courts is empowered to admi- 30 nister,) shall be deemed guilty of wilful and corrupt perjury, and be punishable accordingly.

False swearing under preceding Sections to be perjury.

And with respect to costs, be it enacted,

Costs.

CCXXXIX. Until otherwise ordered by rule of Court, the costs of Writs issued under the authority of this Act and of all other proceedings 35 under the same, shall be and remain as nearly as the nature thereof will allow, the same as heretofore, but in no case greater than those already established; Provided always, that hereafter no mileage shall be taxed or allowed for the service of any Writ, paper or proceeding, without an affidavit being made and produced to the proper taxing officer, stating the 40 sum actually disbursed and paid for such mileage, and the name of the party to whom such payment was made.

Costs on writs under this Act to be as heretofore, until, &c. Proviso, as to mileage.

And in order to enable the Courts and Judges to carry this Act thoroughly into effect, and to enable them from time to time to make rules and regulations, and to frame Writs and proceedings for that pur- 45 pose; Be it enacted, as follows:

Powers to Courts for carrying this Act into effect.

CCXL. It shall be lawful for the Judges of the said Courts or any four or more of them, of whom the Chief Justices shall be two, from time to time to make all such general rules and orders for the effectual execution of this Act, and of the intention and object hereof, and for 50 fixing the costs to be allowed for and in respect of the matters herein

Power to make rules for giving effect to this Act.