

Proviso.

of the default, be discharged from custody by rule or order unless sufficient cause to the contrary be shewn: Provided always that such discharge shall not, when the debtor was confined on mesne process, prevent the Plaintiff from proceeding to Judgment and execution against the body, lands or goods according to the practice of the Court, and that such discharge shall not, when the debtor was a prisoner in execution be construed as a release or satisfaction of the Judgment or other debt or demand for the non-payment whereof such debtor was in custody or to deprive the Plaintiff of any remedy against the lands or goods of such debtor. 5 10

Debtor not entitled to allowance or to his discharge in default of payment thereof, until he shall have answered interrogatories touching his property.

CCXXIV. Whenever any such debtor shall apply for the weekly allowance, or to be discharged from custody for the non-payment thereof, it shall be lawful for the Plaintiff at whose suit he is confined to fyle interrogatories for the purpose of discovering any property or effects, which such debtor may be possessed of or entitled to, or which may be in the possession or under the control of some other person for the use or benefit of such debtor, or which such debtor, having been in possession of may have fraudulently disposed of to injure his creditor, and to serve a copy of such interrogatories on such debtor, and thereupon and until such debtor shall have fully answered such interrogatories upon oath to the satisfaction of the Court or Judge, and fyled his answers and given sufficient notice of such fying to the Plaintiff or his Attorney, no rule or order for the payment of such weekly allowance shall be made or if previously made no order for his discharge for non-payment thereof shall be made. 15 20

Fying interrogatories to Debtor, &c.

CCXXV. Where any such debtor shall have obtained the order for payment of the weekly allowance, the Plaintiff at whose suit he is confined may at any time fyle and serve such interrogatories as aforesaid, and it shall be lawful for the Court from which the process issued or a Judge as aforesaid, on application of the Plaintiff, to stay further payment until the debtor shall have sworn to and fyled his answers, and have given to the Plaintiff or his Attorney four clear days notice thereof. 25 30

Defendant in custody on several writs only entitled to one allowance, &c.

CCXXVI. Whenever such debtor is a prisoner in close custody in several suits or matters, he must make all the Plaintiffs in such suits or matters parties to his application for the weekly allowance, and he shall only be entitled to one weekly sum of five shillings, although he is in custody in several suits and matters, and in any such case if the weekly allowance be unpaid the debtor shall have the same right as when he is in custody in one suit only, to be discharged from custody in all the suits or matters named in the order for payment, and the Plaintiffs named in such order must all be made parties on any application for the debtor's discharge on account of non-payment, and all such Plaintiffs must join in administering interrogatories to the Defendant, as if they were Plaintiffs in one suit, and such Plaintiffs shall regulate among themselves the apportionment of the weekly allowance and the arrangement for payment thereof. 35 40 45

Interrogatories in such case.

Allowance may be recovered from Debtor as costs.

CCXXVII. The Plaintiff in any suit shall be entitled to recover from his debtor all sums paid to him for weekly allowance while a prisoner on mesne process, and upon proof of the amount of such payment before the proper taxing Officer, such sums shall be allowed as disbursements in the suit and be taxed as part of the costs thereof. 50

Debtor in prison over

CCXXVIII. Any debtor according to the intent and meaning of this Act, who shall have been confined in close custody in execution for three suc-