

Interrogato-
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VIII. And be it enacted, that upon such interrogatories being answered, it shall be lawful for such Court or Judge to make such order thereon as if such party had been charged in execution upon a judgment as aforesaid : Provided always, that no such order of such Court or Judge so to be made as aforesaid, shall discharge the 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, moneys, rights and credits, as the Superior Courts of Law and Equity shall prescribe in that behalf.

Arrest for
costs of suit
abolished.

IX. 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 shall or may be ordered 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 Superior Courts of Law and Equity, to prepare and adapt to the circumstances of the case, such a form of execution, 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.

Upper Cana-
da Act only.

X. And be it enacted, that this Act shall be deemed and taken to apply to Upper Canada only.

C A P XXXII.

An Act to fix the period for holding the Courts of General Quarter Sessions of the Peace, and District Courts in that part of the Province formerly Upper Canada.

[9th December, 1843.]

Preamble.

WHEREAS it is expedient to alter the periods of holding the several Courts of General Quarter Sessions of the Peace, and District Courts in and for the several Districts of that part of this Province called Upper Canada, and for rendering the periods uniform ; Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and

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it is hereby enacted by the authority of the same, that from and after the first day of January next, the Courts of General Quarter Sessions of the Peace, in and for the several Districts of that part of this Province called Upper Canada, be and are hereby directed to be held on the first Tuesdays in the months of January, April and July, and on the third Tuesday in the month of November, in each and every year, respectively ; any law, usage or custom to the contrary thereof in any wise notwithstanding.

At what periods the Courts of General Quarter Sessions shall be held in Upper Canada.

II. And whereas, from the alteration of the periods for holding the several Courts of General Quarter Sessions of the Peace as aforesaid, the several periods for holding the District Courts in and for the Districts of that part of this Province heretofore Upper Canada, will, under the provisions of the Law, be changed : And whereas writs and processes may have been or may yet issue returnable on a day on which no such District Court under the provisions of this Act will be held, for remedy whereof : Be it enacted, that any writ or process, which hath been or shall be issued, before the first day of January next, from any District Court in that part of the Province heretofore called Upper Canada, and the return day mentioned in any such writ or process be deemed and taken to be as valid and effectual in law to all intents and purposes, as if this Act had not been passed ; and every such writ or process (being a mesne process) shall be taken and considered to be returnable, on the third day of the Term next ensuing the first day of January next, although another and different return day may be stated, in such writ or process which hath been or shall be issued as aforesaid.

Writs or process issued before the 1st January next, to be deemed good and valid, and made returnable in the next term thereafter.

C A P. XXXIII.

An Act to render more summary the means of enforcing the returns of process by Sheriffs and Coroners, in that part of this Province called Upper Canada.

[9th December, 1843.]

WHEREAS it is expedient to facilitate and render more summary the means of enforcing the returns of process by Sheriffs and Coroners in that part of this Province called Upper Canada ; Be it therefore enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Govern-*

Preamble.

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