

PROVIDED also, That such as shall be found, by positive Proof, or other Circumstances, wilfully to absent themselves or abscond in the Woods, or elsewhere, from the Sheriff's Sight, whereby they cannot be found to be brought to Trial, and such also, as shall be absent by Flight or Prescription out of this Province, to be averred upon Oath, shall have no Benefit of any favourable Interpretation of this Law.

AND be it Enacted by the Authority aforesaid, That from henceforth any Person or Persons, having obtained a Judgment in any Court of this Province, or that shall hereafter obtain a Judgment in any Court of this Province, against any Person or Persons, it shall and may be lawful to and for the said Plaintiff in the said Judgment, at his Will and Pleasure, instead of any other Execution, without those previous Requisites, as above in this Act prescribed and directed, to take out an Attachment against the Goods, Chattels, and Credits, of the said Defendant in the said Judgment, in the said Plaintiff's own Hands, or in the Hands of any other Person or Persons whatsoever; which said Attachment shall likewise have the Clause aforesaid, commanding the Sheriff of the said County, to whom it shall be directed at the Time of Executing the said Attachment, to make known to such Person or Persons, in whose Hands or Possession the said Goods, Chattels, and Credits of the absent Defendant shall be attached, that he or they be and appear at the respective Courts, at the Day of the Return of the said Attachment, to shew Cause (if they have any) why the said Goods, Chattels, and Credits, so as aforesaid in their Hands attached, should not be condemned, and Execution thereof had and made, as in other Cases of Recoveries and Judgments given in the Courts of Record; at which Day of the Return of the said Attachment, if the said Defendant shall not then appear, nor the said Garnishees, in whose Hands the said Goods, Chattels, and Credits of the said Defendant were attached, to shew sufficient Cause to the contrary, the said respective Courts shall and may condemn the said Goods, Chattels, and Credits aforesaid, so as aforesaid attached, and award Execution thereof to be had and made, either by *Capias ad satisfaciendum*, *Fieri facias*, or otherwise, as the said Plaintiff might have had against the Defendant himself on the Judgment aforesaid; which said Condemnation and Execution of such Goods, Chattels, and Credits of the said Garnishee, as aforesaid, had and made, shall be sufficient and pleadable in Bar by the said Garnishee or Garnishees in any Action against him or them by the said Defendant for the same.

Pass'd June 3d, 1715.



*An Act for the better Administration of Justice in Testamentary Affairs, granting Administrations, Recovery of Legacies, Securing Filial Portions, and Distribution of Testamentary Estates.* No. 61.

WHEREAS for due Administration of Justice, it is most necessary, that the Wills of all Persons may be duly proved and executed, and Letters of Administration of the Estates of all Persons dying without Wills may be granted to such Persons, who have the best Right to succeed thereto, and all Legacies speedily recovered, and Filial Portions and Orphans Estates duly secured, and easily obtained, according to Law and Justice; Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of His Majesty's Governor, Council, and Assembly of this Province, and the Authority of