

sett down and be awarded. And in case any writt or summons shall issue forth of any of their Majesties Courts within this Province against any person or persons absent out of this Province in such case upon the return of a non est Inventus by the sherriff on such writt or summons and the party Plantiffe his leaving with the Attorney of such absent deffendant (if he hath left any Attor) a Copy of his Declaration or short note expressing the true cause of Action or if he hath left no Attorney, then the Plantiffe leaving a Copy of his said Declaration or short note expressing the true Cause of Action, at the house where the s^d defendant absent did last reside or dwell, and making such proof of his action as the said respective Courts shall think fitt, it shall and may be lawfull for the Justices of the said Courts to award an Attachment against the Goods and Chattells and Credits of the said absent defendant so as aforesaid prosecuting and not appearing to the said Action which are or shall be in the hands and possession of any person or persons whatsoever (yea even in the Plaintiffs own hands) for his the said defendants own use in this Province in which said Attachment there shall be a clause commanding the Sherriff of the said Respective Countiees at the time of Executing the said Attachment to make known to each person and persons in whose hands or Possession the said Goods Chattles or Credits of the said Absent defendant shall be Attached, That they be and appear at the respective Courts at the day of the return of such Attachment to shew cause (if any they have) why the said Goods Chattles and Credits so as aforesaid in their hands attached should not be Condemned and Execution thereupon had and made as in other cases of Recoveries and Judgements given in Courts of Record, at which day of the return of the said Attachment if the said defendant shall not then appear nor the said Garnish in whose hands the aforesaid Goods Chattles and Credits of the defendant were attached (to shew cause to the contrary,) The said respective Courts shall & may condemne the said goods Chattles and Credits afores^d so aforesaid attached and award Execution thereof to be had and made either by Capias ad Satisfaciend sire facias or otherwise as on other Judgements he the said Plantiffe so prosecuting as aforesaid giving good and sufficient security before the Justices of each respective Court to and for the use of the said defendant so as aforesaid being not found within this Province or absent out of this Province as aforesaid to make restitution of the s^d Goods Chattles and Credjts so as aforesaid Condemned or the Value thereof if the defendant so as aforesaid prosecuted shall at any time within one year and a day to be accounted from the day of the said Attachment awarded come in, and either

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