

ance to be entered upon such process, within such time and in such manner as according to the rules of the court the same ought to have been entered, in case such process had been duly served, and an affidavit or affidavits shall be made to the satisfaction of the court, that such defendant or defendants is or are out of this province, or that upon inquiry at his, her or their usual place of abode, he she or they, could not be found so as to be served with such process, and that there is just ground to believe that such defendant or defendants is or are gone out of this province, or otherwise abscond to avoid being served with the process aforesaid, then and in such case the said court may make an order, directing and appointing such defendant or defendants to appear at a certain day therein to be named, and a copy of such order shall forthwith be inserted in the Maryland Gazette, and continued therein for six successive weeks, and a copy of such order shall be left, as soon as conveniently may be, at the usual place of abode of such defendant or defendants, before his, her or their leaving this province or absconding as aforesaid, and also a copy of it shall be forthwith set up at the door of the court-house of the county wherein the defendant or defendants did last reside, before his, her or their absconding as aforesaid; and if the defendant or defendants do not appear within the time limited by such order, or within such further time as the court shall appoint, then, on proof made of such publication of such order, the court, being satisfied of the truth thereof, may order the bill of the plaintiff or plaintiffs to be taken *pro confesso*, and make such decree thereupon as shall be thought just, and may thereupon issue process to compel the performance of such decree, either by an immediate sequestration of the real and personal estate and effects of the party or parties so absenting, (if any such can be found,) or such part thereof as may be sufficient to satisfy the demands of the plaintiff or plaintiffs in the said suit, or by causing possession of the estate or effects demanded by the bill to be delivered to the plaintiff or plaintiffs, or otherwise, as the nature of the case shall require; and the said court may likewise order such plaintiff or plaintiffs to be paid and satisfied his, her, or their demands, out of the estate or effects so sequestered, according to the true intent and meaning of such decree, such plaintiff or plaintiffs first giving sufficient security, in such sum as the court shall think proper, to abide such order, touching the restitution of such estate or effects as the court shall think proper to make concerning the same, upon the appearance of the defendant or defendants to defend such suit, and paying such costs to the plaintiff or plaintiffs as the court shall order.

4. PROVIDED ALWAYS, That if any decree shall be made in pursuance of this act against any person or persons being out of this province, or absconding in manner aforesaid at the time such decree is pronounced, and such person or persons shall, within two years after making such decree, return or become publicly visible, then and in such case he, she, or they, shall likewise be served with a copy of such decree, within a reasonable time after his, her, or their return or public appearance shall be known to the plaintiff or plaintiffs; and in case any defendant, against whom such decree shall be made, shall, within two years after making such decree, happen to die before his or her return into this pro-