might be taken *pro confesso*. (*f*) But as an express, or constructive appearance is deemed indispensable to enable a plaintiff to obtain relief; and as it sometimes happened, that a defendant, who had been arrested and brought in upon some one of the writs, following the *subpœna*, refused to enter his appearance, it was, by the same statute, declared, that if a defendant should, by virtue of any process, be brought into court, and should refuse to enter his appearance, the court might enter an appearance for him, upon which the plaintiff might proceed. (*g*)

After an appearance has been entered, if a defendant fails to answer, the plaintiff, to extract an answer from him, may sue out an attachment, and so proceed to sequestration; after which, the bill may be taken *pro confesso*, and a decree passed accordingly, without exhibiting any proof of the truth of its allegations, as was formerly deemed proper. (*h*) But if the defendant should be taken by any process, after his appearance, then he may be imprisoned and held in close custody until he has answered, or be brought in, and the bill taken *pro confesso* against him. (*i*) This course of proceeding may be applied as well to bills of revivor and amended bills as to original bills. (*j*) And as a case cannot be set for hearing until all the defendants have answered, or until the whole line of process has been run out, and the bill, where it is allowable, taken *pro confesso* against each, this mode of proceeding must be pursued against each, where there is a plurality of defendants. (*k*)

Upon any reasonable ground of indulgence, however, if the delay has not been extravagantly long, the court will, on the payment of costs, and on the defendant's communicating the answer he proposes to put in, and shewing its sufficiency, set aside the order for taking the bill *pro confesso*, and allow the answer to be filed. (*l*)

(*f*) 5 Geo. 2, ch. 25; Kilty Rep. 189; Mawer *v.* Mawer, 1 Cox, 104; Short *v.* Downer, 2 Cox, 84; Neale *v.* Norris, 5 Ves. 1; Winchester *v.* Beavor, 5 Ves. 113; 1 Fowl. Exch. Pra. 212.—(*g*) 5 Geo. 2, ch. 25, s. 2; 1 Fowl. Exch. Pra. 202.—(*h*) Johnson *v.* Desmineere, 1 Vern. 223; Denny *v.* Filmer Nelson, 65; Davis *v.* Davis, 2 Atk. 22; Anonymous, 10 Mod. 431; 1 Fowl. Exch. Pra. 200; 1718, ch. 5.—(*i*) Anonymous, 2 Cha. Ca. 237; S. C. 2 Freem. 27; Thomas *v.* Jones Nelson, 50; Hughes *v.* Owen Bunb. 299; Snowden *v.* Snowden, 1 Bland, 551.—(*j*) 2 Eq. Ca. Abr. 178; Jopling *v.* Stuart, 4 Ves, 619.—(*k*) 1 Fowl. Exch. Pra. 199; Geary *v.* Sheridan, 8 Ves. 192; Hoye *v.* Penn, 1 Bland, 33.—(*l*) Williams *v.* Thompson, 2 Bro. C. C. 279; Hearne *v.* Ogilvie, 11 Ves. 77.

PARRON *v.* BRANNOCK, *14th July*, 1721.—Bill, Answer, and Exceptions.—Exceptions held good, and *ruled*, that the defendant give in a better answer, and six hundred pounds of tobacco costs. *Ordered*, that attachment issue for costs. Answer