

no attachment shall issue out of any Court of this Province be-
 fore a writ or summons be first made out upon which Writ if
 the party defendant be an Inhabitant or Resident within this Province
 and the Sheriff shall return non est inventus on other writ or Summons
 shall thereupon in manner aforesaid issue forth against the said
 Defendant, and if the Sheriff should on the second writ or Summons
 returne 'e non est Inventus likewise an Attachment shall and may
 thereupon issue in manner and forme hereafter sett down and be
 awarded, And in case any writ 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
 returne of a Non est Inventus by the Sheriff on such writ or Sum-
 =mons and the party Plaintiff his leaving with the Attorney of
 such absent defendant (if he hath left any Attorney) a Copy of his
 Declaration or Short note expressing the true cause of Action or
 if he hath left no Attorney, then the Plaintiff leaving a Copy
 of his said Declaration or Short note expressing the true Cause of
 Action at the house where y.^e Defendant absent did last reside
 or dwell, and making such proof of his action as the said respec-
 =tive Courts shall think fitt, it shall and may be lawful for the
 Justices of the said Courts to award an Attachment against the
 Goods and Chattells and Credits of the said absent defendant to be
 aforesaid prosecuting and not appearing to the said Action
 which are or shall be in the hands and possession of any person
 or persons what soever (yea even in the Plaintiffs own hands) for