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An Act Directing the manner of suing out
attachments in this Province and Limiting the
Extent of them.

Whereas it is highly Expedient to settle the manner of pro-
ceedings on attachments and Limiting the extent of them and to provide
what shall be done on such attachments and Execution

Be it Enacted by the Kings most Excellent Majesty by and
with the advice and Consent of his Majesties Governour Councill and
Assembly of this Province and the authority of the same that from
henceforth no attachment shall issue out of any Court of this Province
before 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 Sheriffs
shall returne Non est Inventus and other writ or Summons shall be
thereupon in manner aforesaid Issues forth against the said Defendant
~~the said Defendant~~ and if the Sheriff shall upon the second writ or summons
returne a Non est Inventus Likewise an Attachment shall and may
in manner and forme hereafter sett downe be awarded And in Case
any writ or summons shall Issue forth of any his Majesties Courts
within this Province against any Person or Persons absent out of this Province
in such Case upon the returne of a Non est Inventus by the Sheriff or
such writ or summons and the party plaintiffe his leaving with the
attorney of such absent defendant (if he have left any attorney) a Copy
of his declaration or short note Expressing the cause of action or if he
have left no atty then the plaintiffe leaving a Copy of the said declaration
or short note Expressing the true Cause of action at the house where
said defendant absent did last reside or dwell or making such proof
of his action as the said respective Courts shall thinke fitt it shall
may be Lawfull for the Justice of the said Courts to award an Attachm^t
against the goods Chattles and Credits of the said absent defendant
so as aforesaid prosecuted and not appearing to the said action which are
or shall be in the hand and possession of any Person or Persons whatsoever
(Yea) Even in y^e plaintiffe's own hands for the defendants use in this
Province in which said Attachment there shall be a Clause Commanding
the Sheriffs of the Respective Counties at the time of the executing
the said attachments to make known to each person or persons in
whose hands or possession the said goods Chattles and Credits so
attached are if to him or them it shall seem meet to be and appear
on the returne of such Attachments before the Justices of the respective
said Courts out of which such Attachments are Issued to show Cause
why such goods Chattles or Credits so attached as aforesaid should not
be Seized and Execution thereof had and made as in other Cases of
recovey