

ACTS

Lib. L. L. Maryland ss.

No. 64.

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Att a Session of Assembly Begun and held at the Town and port of Annapolis in Ann Arundell county the 5th day of September in the third year of the Reigne of our Sovereigne Lady Anne by the Grace of God of England Scotland France and Ireland Queen Defender of the faith &c^a and in the year of our Lord one thousand seven hundred and four.

Were Enacted the Laws following

An Act directing the Manner of Suing out Attachments in this Province and limitting the Extent of them. For Settling the Manner of proceedings on Attachments and limitting the Extent of them and providing what shall be levyed on Attachments and Executions.

Be it enacted by the Queens most excellent Majesty by and with the Advice and Consent of her Majestys Governour Councill and Assembly of this Province and the Authority of the same that from hence forth no Attachment shall issue out of any Court of this Province before a Writt or Summons be first made out upon which Writt if the party Defendant be an Inhabitant or Resident within this province and the Sheriff shall return a Non est Inventus one other Writt or summons shall thereupon in manner aforesaid issue forth against the said Defendant And if the Sheriff shall upon the second Writt or summons return a Non est Inventus likewise An Attachment shall and may in manner and forme hereafter sett down be awarded And in Case any Writt or summons shall issue forth of any of her Majestys 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 on such Writt or summons and the party plaintiff his leaving with the Attorney of such Absent Defendant (if he hath left an Attorney a Copy of his Declaration or short Notes expressing the Cause of Accon or if he hath left no Attorney then the Plaintiff leaving a Copy of the said Declaration or short Note expressing the true Cause of Accon at the house where the said Defendant absent die last reside or dwell and making such proof of his Accon as the said respective Courts shall think fitt It shall and may be lawfull for the Iustices of the said Courts to award an Attachment against the Goods Chattells and Creditts of the said absent Defendant so as aforesaid prosecuted and not appearing to the said Accon which are or shall be in the hands and possession of any person or persons whatsoever (yea) even in the Plaintiffs own hands for the Defendants use in this