

Summons to the absconding debtor, and shall be in the form in the Schedule A to this Act annexed, marked No. 7, and such Writ shall be dated on the day on which it is sued out, and shall be in force for six months from its date, and may be renewed for the purpose of effecting service on the Defendant, in like manner as a Writ of Summons issued under the authority of this Act.

Duration of writ.

Renewal.

XLIV. Upon affidavit made by any Plaintiff, his servant or agent, that any such person so departing is indebted to such Plaintiff in a sum exceeding twenty-five pounds, and stating the causes of action, and that the Deponent hath good reason to believe and doth verily believe such person hath departed from Upper Canada and hath gone to (stating some place to which the absconding Debtor is believed to have fled or that the Deponent is unable to obtain any information to what place he hath fled,) with intent to defraud the Plaintiff of his just dues, or to avoid being arrested or served with process, which affidavit shall be accompanied by the affidavit of two other credible persons, that they are well acquainted with the Debtor mentioned in the first named affidavit, and have good reason to believe and do believe that such Debtor hath departed from Upper Canada with intent to defraud the said Plaintiff, or to avoid being arrested or served with process, it shall be lawful for either of the said Courts or a Judge, or for the Judge of any County Court, by rule or order, to direct that a Writ of Attachment shall issue (to be in the "Inferior Jurisdiction" if the case be within the Jurisdiction of the County Court, and to be marked and the costs to be allowed accordingly,) and to appoint in such rule or order the time for the Defendants putting in Special Bail, which time shall be regulated by the distance from Upper Canada of the place to which the absconding Debtor is supposed to have fled, having due regard to the means of and necessary time for postal or other communication; and such Writ of Attachment shall issue in duplicate, and shall be so marked by the officer issuing the same (the costs of suing out the same being allowed only as if a single Writ issued), and one Writ shall be delivered to the Sheriff to whom the same shall be directed, and the other shall be used for the purpose of effecting service on the Defendant.

Proceedings upon affidavit that the Defendant hath departed, &c. from Upper Canada, for the purpose of avoiding payment or service of process.

Affidavit in confirmation.

Writ of Attachment to issue.

Writ of Attachment to be in duplicate.

XLV. Upon its appearing on affidavit to the Court or a Judge, that a copy of the Writ was personally served on the Defendant, or that reasonable efforts were made to effect personal service thereof on him, and that such Writ came to his knowledge, or that the Defendant hath absconded in such a manner that after diligent inquiry no information can be obtained as to the place he hath fled to, it shall be lawful for such Court or Judge, if the Defendant has not put in Special Bail, either to require some further attempt to effect service or to appoint some act to be done which shall be deemed good service, and thereupon, or on the first application, if it shall

Further proceedings upon service or attempted service.