

mit himself to an Examination upon Oath as aforesaid, he shall be liable to pay to the Plaintiff all such Costs as shall or may arise upon his Suit, the same to be taxed by the Court in common Form.

V. *And be it further enacted*, That in case any Attorney, Factor, Agent, or Trustee, from and after the time of his being served with Summons and Declaration as aforesaid against his Principal (being an absent or absconding Person), shall transfer, remit, dispose of, or convert any of the Lands, Goods, Effects, or Credits of such absent or absconding Person in his Hands, or under his Management, at the time of such Service, so that there shall not be sufficient to satisfy the Judgment, (the Debt being afterwards ascertained by Judgment of Court), or that shall not discover, expose, and subject the Lands, Goods, Effects, and Credits of such absent or absconding Person in his Hands, or under his Management, to be taken in Execution, towards the Satisfaction of the said Judgment, so far as the same will extend, shall be liable to satisfy the same out of his own proper Goods and Estate, as of his own proper Debt; and a Writ of *Scire-facias* may be sued out of the said *Supreme Court of Judicature*, and served on him as the Law directs, to appear and shew Cause (if any he hath) to the contrary; and where, upon Default of Appearance, or refusal to disclose upon his Oath, (which Oath the *Chief Justice* is hereby empowered and required to administer,) what Lands, Houses, Goods, Effects, or Credits of the absent or absconding Person are in his Hands, or under his Management, and to what value Judgment shall be entered up against him of his own proper Goods, and Execution be awarded accordingly.

Execution to be levied on the Agent's proper Goods, &c. if he transfer the Effects of his Principal.

Agent to discover upon Oath the Goods, &c. of his Principal: on failure, Judgment to be entered against him of his own proper Estate, &c.

VI. *Provided nevertheless, and be it further enacted*, That if it shall appear that the Attorney, Factor, Agent, or Trustee, so summoned as aforesaid, and having in his Hands, or under his Management, at the time of such Summons, any Lands, Houses, Goods, Effects, or Credits of the absent or abscon-

Agent to be allowed his Costs upon discovering the Effects, &c. of his Principal, and subjecting them to satisfy the Judgment.