

this Province or absconding in manner aforesaid at the time such decree is pronounced, and such person or persons shall within three years after the making of such decree return or become publicly visible, then and in such case he, she or they shall be served with a copy of such decree within a reasonable time after his, her or their return or public appearance shall be known to the plaintiff or plaintiffs; and in case any defendant against whom such decree shall be made shall, within three years after the making of such decree, happen to die before his or her return into this Province or appearing openly as aforesaid, or before his or her being served with a copy of such decree, then his or her Heir, if such defendant shall have any real estate sequestered or whereof possession shall have been delivered to the plaintiff or plaintiffs, and such Heir may be found; or if such Heir shall be a feme covert, infant, or non compos mentis, the husband, guardian or committee of such Heir respectively, or if the personal estate of such defendant be sequestered or possession thereof delivered to the plaintiff or plaintiffs, then his or her Executor or Administrator (if any such there be) may and shall be served with a copy of such decree within a reasonable time after it shall be known to the plaintiff or plaintiffs that the defendant is dead, and who is his or her Heir, Executor or Administrator, or where he, she or they respectively may be served therewith:

III. *Provided always*, That if any person or persons so served with a copy of such decree, shall not within six months after such service appear and petition to have the said cause reheard, such decree so made as aforesaid shall stand absolutely confirmed against the person and persons so served with a copy thereof, his her or their respective Heirs, Executors and Administrators, and all persons claiming or to claim by, from or under him, her or them or any of them by virtue of any Act done or to be done subsequent to the commencement of such suit.

IV. *Provided nevertheless*, That if any person so served with a copy of such decree, shall within six months after such service or if any person not being so served shall within three years next after the making of such decree appear in Court and petition to be heard with respect to the matter of such decree, and shall pay down or give security for payment of such costs as the Court shall think reasonable in that behalf, the person or persons so petitioning his, her or their respective Representatives, or any person or persons claiming under him, her or them respectively by virtue of any Act done before the commencement of the suit, may be admitted to answer the Bill exhibited, and issue may be joined, and witnesses on both sides examined, and such other proceedings, decree and execution may be had thereon as there might have been in case the same party had originally appeared and the proceedings had then been newly begun, or as if no former decree or proceedings had been in the same cause.

V. *Provided nevertheless, and be it further enacted*, That if any person or persons against whom such decree shall be made, his,