

Goods, &c. in  
Agent's Hands,  
subject to Execu-  
tion.

Management, which were in his Hands, or under his Management and Direction, at the time of his being served with the Summons and Declaration aforesaid, to the Amount of the Sums contained in the said Judgment (if so much there be), shall be liable and subject to the Execution granted upon such Judgment, for or towards satisfying the same; and from the time of serving the Summons as aforesaid, shall be liable and secured in Law in his Hands to answer the same, and may not be otherways disposed of or converted.

Plaintiff to be  
non-suited where  
no Effects are in  
Agent's Hands,

III. *Provided nevertheless, and be it enacted, by the Authority aforesaid,* That if upon Summons being served as above mentioned, the supposed Attorney, Factor, Agent, or Trustee shall come into Court at the first Term thereof, and declare that he had not in his Hands, nor under his Care or Management, at the Time of the Service of such Summons, any Lands, Goods, Effects, or Credits whatsoever of the absent or absconding Person, and shall submit to an Examination, upon Oath, respecting the same; and if upon Examination it shall appear, to the Satisfaction of the Court, that he had not any Lands, Goods, Effects, or Credits whatsoever of the absent or absconding Person in his Hands, or under his Management, at the time of his being summoned as aforesaid; then, and in every such Case, the Plaintiff shall become non-suited, and shall pay to him, who may have been so summoned as Attorney, Agent, Factor, or Trustee, his reasonable Costs, to be taxed in common Form by the Court.

and to pay Costs.

Agents &c. not  
appearing, liable  
to pay Costs.

IV. *And be it therefore further enacted,* That if any Attorney, Factor, Agent, or Trustee, who being duly served with Summons and Declaration as aforesaid, shall not appear at the first Term, and then either acknowledge himself to have had in his Hands, or under his Management, some Lands, Goods, Effects, or Credits of the absent or absconding Person, at the time of the Service aforesaid, and thereupon pray that he may be admitted to defend the Action, or otherwise sub-