

SEC. 2, 3, 4. Repealed, June, 1773, ch. 13.

SEC. 5. *And*, whereas it has often happened that several persons have heretofore secretly made over unto their creditors, or pretended creditors, or given their own children or others, sundry goods and chattels, and yet kept the same in their own possession, whereby they have been believed to be the proprietors of such goods and chattels, and thereby procure to themselves credit for considerable sums of money, and quantities of tobacco, to the great prejudice of several inhabitants of this province and others, *Be it therefore enacted by the authority, advice and consent aforesaid*, That from and after the end of this session of assembly, no goods or chattels, whereof the vendor, mortgagor or donor, shall remain in possession, shall pass, alter or change, or any property thereof be transferred to any purchaser, mortgagee or donee, unless the same be by writing, and acknowledged before one provincial justice, or one justice of the county where such seller, mortgagor or donor shall reside, and be within twenty days recorded in the records of the same county.

No goods,
&c. shall
pass, &c.

SEC. 6. *Provided always*, That nothing in this act shall extend, or be construed to extend, to make void any such sale, mortgage or gift, against such seller, mortgagor or donor, his executors, administrators or assigns only, or any claiming under him, her or them.

Proviso.

CHAPTER 20.

AN ACT providing what shall be Good Evidence to prove foreign and other debts, and to prevent vexatious and unnecessary suits at law, pleading discounts in bar, and for repealing an act of Assembly therein mentioned.

This law is repealed by 1785, ch. 46, sec. 8, except the ninth section, which is reserved in force for all sums not exceeding ten pounds current money, and where the dealings in the course of a year do not exceed that amount.

SEC. 9. *And be it enacted, by the authority aforesaid*, That an account of money, tobacco or other goods, lent or due, and chargeable for goods sold, work done, or other things properly chargeable in account, which shall arise due after the tenth day of March next ensuing, and shall be sworn by the creditor, (or affirmed if a quaker,) 'to be just and true,' before one provincial or county justice, and 'that he or she hath not, directly or indirectly, received (to his or her knowledge,) any part or parcel of the money, tobacco or other goods, charged as due by such account, or any security or satisfaction for the same, more than credit shall be given for,' shall be received as good evidence in any court of record within this province, upon any trial, or in any dispute before a single magistrate, concerning a small debt determinable by him, unless the creditor or defendant shall make appear by lawful evidence, other than his or her own oath, or affirmation, that such account is false in part, or in the whole.

Account
shall be
evidence,
&c.