

State; nor the provisions thereof in relation to the proof of claims against the estates of deceased persons.

42. The oath of any disinterested, credible witness made and certified as aforesaid, proving the payment or delivery of any money, or the delivery or sale of any goods, wares, merchandise, chattels or effects whatsoever, by any merchant or person carrying on commerce, or using and carrying on any trade whatsoever, by buying and selling or manufacturing for sale, and being an inhabitant of any other of the United States or of any foreign country, shall be legal evidence in any court of this State to charge the person to whom such money, goods, wares, merchandise or effects shall be so proved to be delivered; and the oath of such witness, made and certified as aforesaid, shall be good evidence to prove the price of the goods, wares, merchandises and effects delivered or so sold, and also to prove an assumption to pay for the same; *Provided*, the party bringing suit for such money or the price of such goods shall, at or before the first imparlance court, make oath as aforesaid before some judge or justice of this State or before some judge, justice or other officer of the State or country where such money or goods shall have been delivered, having authority and to be certified as aforesaid, that he believes the money, goods, wares, merchandises, effects or chattels charged in the account to which such oath shall be annexed, were bona fide delivered as charged, that he hath not to his knowledge or belief received any payment or satisfaction for the articles charged, more than credit is duly given for in and appearing upon the said account, nor hath he received any security for the same, and that the balance charged and claimed is justly due according to the best of his knowledge and belief.

DOMESTIC ACCOUNTS.

43. The oath of any clerk, store keeper or disinterested credible witness, taken before any judge or justice or court of this State, to the delivery or payment of any money, or delivery or sale of any goods, wares, merchandises, effects or chattels, by any person merchandising or carrying on commerce, or manufacturing for sale within this State to any person within this State, shall be good and sufficient evidence in any court of this State to charge the person to whom such money shall be delivered or paid, or such goods, wares, merchandises, effects or chattels shall be sold or delivered, and also to prove the assump-