

he hath not, directly or indirectly, received to his knowledge any part or parcel of the money or 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 or before any justice of the peace of this State, unless the debtor or defendant shall make it appear by lawful evidence that such account is false in part or in whole.

Sanders v. Leigh, 2 H. & McH. 380. Smoot's Ex'r v. Bunbury's Ex'r, 1 H. & J. 136. Warner v. Fowler, 8 Md. 25.

P. G. L., (1860,) art. 37, sec. 44. 1888, ch. 392.

45. In cases where there are two or more plaintiffs, any affidavits required under the preceding sections to be made by the party bringing suit, or by the creditor, may be made by any one of the plaintiffs; or if all the plaintiffs be absent from the State at the time of the bringing of the suit, or if the plaintiff be a corporation, such affidavit may be made by any agent of the plaintiff or plaintiffs, or any of them, who will make further oath that he is such agent, and that he has personal knowledge of the matters therein stated; such affidavit, if made on behalf of any firm or co-partnership, shall be *prima facie* evidence of said partnership and of the persons composing the same as therein set forth, or if made on behalf of any body corporate by any person therein alleging himself to be a charter officer thereof shall be *prima facie* evidence of the fact of its corporation as therein set forth.

Ibid. sec. 45. 1785, ch. 46, sec. 6.

46. Nothing contained in this article shall preclude any debtor or defendant from controverting any proof offered in pursuance of the provisions thereof, by any testimony which is legal and admissible by the rules of the common law, or prevent any creditor or plaintiff from giving any evidence admissible by the rules of the common law, in support of his claim; or pursuing any legal mode other than herein prescribed, to prove and establish his claim or demand.