

witnesses before [justices of the peace] *the District Court*, to be paid by the party summoning them.]

§ 54. Proof by oath of disinterested witnesses.

The oath of any disinterested credible witness taken before any judge [or justice of the peace] of this State, or before any officer of the state or county where such witness may be at the time, having authority to administer an oath therein, 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, or any work done, services rendered or other things properly chargeable in account, shall be legal evidence in any court [or before any justice of the peace] of this State to charge the person to whom such money, goods, wares, merchandise or effects shall be so proved to be delivered, or at whose instance or request such work or services shall be so proven to be done or rendered; and the oath of such witness, made and certified as aforesaid shall be good evidence to prove the price of the goods, wares, merchandise and effects delivered or so sold, or the value of the work so done or of the services so rendered, and also to prove an assumption to pay for the same; such oath shall sufficiently prove such payment, delivery, sale, work done, services rendered or other things properly chargeable in account, and the price or value thereof (as the case may be), and an assumption to pay for the same, if the affiant (without stating, or being able to state, the ultimate facts of such payment, delivery, sale, work, services or other things, or such price or value, or such assumption) shall state that the party bringing suit therefor keeps regular books of account, that the keeping of such books is in the charge or under the supervision of the affiant, and that entries in such books, made in the regular course of business, show that the person sued therefor is indebted therefor to the party bringing suit therefor, over and above all discounts, in a specified amount, and shall attach to such oath an itemized statement of such indebtedness as shown by such books; provided, the party bringing suit for such money, or the price of such goods, or the value of such work or services, shall, on or before the first day of the trial term of the court, make oath as aforesaid before some judge [or justice of the peace] of this State or before some officer of the state or county where he may be at the time having authority to administer an oath therein and certified as aforesaid, that he believes the money, goods, merchandise, effects or chattels charged in the account to which such oath shall be annexed were bona fide delivered as charged or that the work or services charged in said account were bona fide done or rendered as therein charged and that he hath not to his knowledge or belief received any payment or satisfaction for the articles, work, or services therein 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 amount charged and claimed is justly due according to the best of his knowledge and belief.

§ 55. Proof by oath of creditor.

Any account for money or goods lent or due and chargeable in account for goods sold, work done or other things properly chargeable in account, including any obligation or liability in contract or quasi contract and whether express or implied, which shall be sworn to by