

Such Demandant shall leave a note under the hand
of such Creditor or Demandant or those he shall empower
to receive the same what time and to whom the same
shall be paid and if thereupon the same be not paid
accordingly then the Plaintiff may be lawful for
such Creditor to sue and Implead such Debtor
and recover against him all such reasonable Damages
as upon request made in any Court of this Province
having Cognizance of the Cause shall be adjudged
in case the Plaintiff making this rule in case any
person or persons shall sue and Implead such Debtor
as aforesaid without making Demand as aforesaid
the Debtor plead that the debt was never demanded
by such Plaintiff the Debtor shall be taken to admit the
plaintiff's Declaration to be good and shall only
put the Demand in Issue if the Plaintiff do not
joine then the Plaintiff shall be taken to have
made no Demand and shall only have Judgment
for his Damages and shall bear all his own costs and
if the Plaintiff joine in Issue upon the Demand
and it be found against him then the Plaintiff
shall bear his own costs and pay costs of such
Trial to the Defendant yet the said Plaintiff
shall have Judgment to receive his Debt or Damages
as found with his costs or for so much thereof as ap-
pears due upon balance