

And Specialties proved after the manner prescribed.

Bills, Accounts, or otherwise, that shall from and after the Publication hereof, be sent hither to be put in Suit against any Person whatsoever, living or residing within this Province, shall be proved by Oaths of the Witnesses thereto, before a *Notary Publick*, or other Officer lawfully Authorized thereto, of the County or Place wherefoever it shall happen the said Bonds or Bills shall be sent from, at which Time, and before which Publick Notary, or other Publick Officer, shall be present the Creditors, who shall then likewise before such *Publick Notary*, or other publick Officer of the place, so Authorized, upon his Corporal Oath declare, *That the said Debt, or any Part thereof, saving what the said Creditor gives Credit for, is not satisfied; Or That there are not any other Accounts between the said Creditor and Debtor, for which the said Creditor may be likewise indebted to the said Debtor to the Value of the said Debt, or any Part thereof, for any Matter or Thing accrued since the Date of the said Bond, Bill or Instrument; Or whether the said Creditor hath not given the said Debtor any Release for the same,* to be sent together with the Proofs from under the Hands and Seals of the said Publick Notary, or other Publick Officer thereunto appointed, which if the Creditor shall refuse or neglect to perform or do, then the said Matter or Thing by the said *Publick Notary* or other Officer, so by them Certified, as aforesaid shall not be received as Evidence to prove the said Debt: And if the said Creditor be Dead, and his Executor or Administrator sue such Bond, Bill, Account, or otherwise sue any Debtor for the same, the Executor or Administrator in like Manner, before such *Notary Publick*, or other Officer for that Purpose appointed, shall set forth and Declare, upon their Oath, *Whether or no they have not heard the Creditor in his Life Time acknowledge that Debt, or any, and what Part thereof, to be satisfied? Or whether or not upon Sight of the Creditors Books, Writing or Accounts, they have not seen Credit given to the Debtor, since the Day of the making the said Bills, Bonds, or Beginnings of the Accounts so sued for?* All which in like manner, is to be certified by the publick *Notary*, or other Officer thereunto appointed, under his Hand and Seal, to be sent along to this Country, together with the Testimony of the Witnesses that have testified to the said Bonds, Bills, Accounts, or otherwise; all which if the said Executor or Administrator refuse or neglect to do, then the said Matter and Thing by the Publick Notary, or other Officer appointed, as aforesaid, certified shall not be received in Evidence for Valid against the Debtor.

Otherwise not

How dead Mens Debts to be Proved.

Attornies for non-residants to give Security for Costs

The reason of Demands.

The manner of them and where necessary.

*And be it Enacted by the Authority aforesaid,* That all and every the Attorney and Attornies, who shall be employed in the Prosecution of such Suits, shall put in Security to pay the Defendant all such Costs and Charges as shall be by the Defendant in that case expended, in Case the Plaintiff be cast in Suit.

And to the end that no Honest Debtor, that hath not fled from the Place or Country where he contracted his Debt, nor wilfully absconded himself, or fled from Justice, shall be surprized by unnecessary and Vexatious Suits at Law,

*Be it Enacted by the Authority, advice and Consent aforesaid,* That no Person whatsoever residing or trading in or to this Province, their Executors, Administrators, Agents, Factors or Assigns shall for any Sum or Sums of Tobacco or Money, due and owing to him by Account upon Book, or otherwise, (and for which the Debtor hath not passed his Hand and Seal to such his Creditor) sue and Implead such Debtor, his Executors or Administrators, in any Court of Record within this Province, unless