

thereto, before a Notary Publick, or other Officer, lawfully authorized thereto, of the County or Place wheresoever it shall happen the said Bonds or Bills shall be sent from; at which Time and Place, and before which Notary Publick, 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 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, by 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 Notary Publick, 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 Executors or Administrators 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 or what Part thereof to be satisfied, or whether or not, upon Sight of the Creditor's Books, Writings, or Accounts, they have not often seen Credit given to the Debtor since the Day of 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 or Thing, by the Publick Notary, or other Officer, appointed, as aforesaid certified, shall not be received in Evidence for Valid against the Debtor.

AND be it Enacted by the Authority aforesaid, That all and every the Attorney or Attorneys, 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 the Suit.

AND to the end that no honest Debtor, who hath not fled from the Place or County 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 or owing to him by Account upon Book, or otherwise, (and for which the Debtor hath not past 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 he shall first demand or require the same of such Debtor, proper Person, or otherwise, at the Habitation or Place of Residence of the said Debtor in the County where he shall dwell; to prove which Demand, the Creditor or Demandant's own Oath shall be sufficient: And if the Debtor be not at home to be spoke with, then 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 it shall and may be lawful for such Creditor to sue and implead such his Debtor, and recover against him all such Costs and Damages, as upon Legal Tryal in any Court of this Province, having Cognizance of the Cause, shall be adjudged, as before the making this Act. But in case any Person or Persons shall sue and implead such his Debtor, as