

tions of this Act, and lodged or filed in Court, upon the general Issue it shall and may be lawful for the Justices, upon good Proof made of such Account, to cause the same (altho' of a less or inferior Nature,) to be discounted in Court, and give Judgment thereupon against the Defendant, for so much only as shall be remaining to the Plaintiff, with Cost of Suit, provided the Ballance exceed *Four Hundred Pounds* of Tobacco, or *Thirty Three Shillings and Four Pence* in the County Court, and *One Thousand Five Hundred Pounds* of Tobacco, or *Six Pound Five Shillings* Sterling in the Provincial Court, otherwise the Plaintiff shall be nonsuited.

PROVIDED, that nothing in this Act contained, shall be construed to give the Provincial Court any other Jurisdiction, than what is agreeable to the Act of Assembly, *for relieving the Inhabitants from some Aggrievances in the Prosecution of Suits at Law.*

THE Oath of one or more of the Persons that subscribed as Witnesses to any Bill or Bond, made before one Justice of the Provincial or County Court in their respective Counties, shall be Evidence to prove the Debts in the Provincial or County Courts.

PROVIDED nevertheless, that if the Defendant shall traverse such Proof, and put it on the County for trial, it shall be allowed him so to do.

AN Account of Money or Tobacco or other Goods lent or due, and chargeable for Goods sold, Work done or other Things properly chargeable in Account, shall be sworn by the Creditor (or affirmed if a Quaker) to be just and true, before one Provincial or County Justice; and that he or she hath not directly or indirectly received, to his or her Knowledge, any Part or Parcel thereof, or any Satisfaction or Security for the same, more than Credit shall be given for; and shall be received as good Evidence in any Court of Record within the Province, upon any Trial or in any Dispute before a single Magistrate concerning a small Debt, determinable by him, unless the Creditor or Defendant shall make appear by lawful Evidence, other than his or her own Oath or Affirmation, that such Account is false in part or in whole.

It shall and may be lawful for any Debtor or Defendant, in his Defence, to prove an Account by Oath or Affirmation to be just and true, of Goods delivered or sold, Work done, Money paid or delivered to the Plaintiff or Creditor toward Satisfaction of the whole or part of the Debt due to such Plaintiff or Creditor, or received by such Plaintiff or Creditor to the Defendant or Debtors Use, which shall be so delivered or received, and for which no Credit is or shall be given to the Defendant or Debtor, which the Court, before whom the Trial shall be, shall adjudge to be discounted out of the Plaintiffs or Creditors

Account