

or by whom the same were devised, was in his life time indebted to any person or persons whatsoever, it shall be lawful for the court in which any suit against such heir or heirs at law, or devisee, may be instituted, to award attachment against the lands, &c. of such heir, &c. holden by descent or devise from the person or persons so indebted, in the same manner as attachments are prosecuted against other persons residing out of the state.—1794, c. 54 § 7.

34. If any person, not being a citizen of this state, and not residing therein, shall or may be indebted unto a citizen of this state, or of any other of the United States, or if any citizen of this state, being indebted unto another citizen thereof, shall actually run away, abscond or fly from justice, or secretly remove him or herself from his or her place of abode, with intent to evade the payment of his or her just debts, such creditor may, in either case, make application to any judge of the general court, justice of the county court, or justice of the peace; and on the oath or affirmation of such creditor, made before any judge of the general court, &c. of this state, or before any judge of any other of the United States, that the said debtor is *bona fide* indebted to him or her in the sum of _____, over and above all discounts, and at the same time producing the bond or bonds, bill or bills, protested bill or bills of exchange, promissory note or notes, or other instrument or instruments of writing, account or accounts by which the said debtor is so indebted, and also, (in case of the debtor not being a citizen of this state,) on the oath or affirmation of the said creditor made as aforesaid, that he or she doth know, or is credibly informed and verily believes, that the said debtor is not a citizen of this state, and that he or she doth not reside therein, and also, (in the case of the debtor being a citizen of this state) on the oath or affirmation of the said creditor made as aforesaid, that he or she doth know, &c. that the said debtor is actually run away or fled from justice, or removed from his or her place of abode, with intent to injure and defraud his or her creditor or creditors, the said judge of the general, justice of the county court, or justice of the peace, shall forthwith issue his warrant to the clerk of the general or county court, as the case may require, to issue an attachment or attachments against the lands, &c. of the said debtor; upon the receipt of which warrant, together with the proofs on which the same was granted, and not otherwise, the clerk of the general or county court, shall issue such attachment or attachments, in which there shall be the same clause of *scire facias* as by the act to which this is a supplement (*see above, art. 9.*) is directed to be inserted in attachments awarded by either of the said courts, and the like process and proceedings may be had thereon as are required by the said act upon attachments awarded as aforesaid.—1795, c. 56, § 1.

35. The oath, &c. of such creditor, made before a judge of any other of the United States, shall not be good evidence, unless there be thereto annexed a certificate of the clerk of the court of which he is a judge, or
certificate