

3. All debts, promises, contracts, covenants and agreements, hereafter made by writing or parole for gold or silver, or paper money, shall be paid, discharged, or executed, agreeable to the bond, bill, note, or other instrument in writing, or the parole, promise, or agreement, and the intent and meaning of the parties.—*October, 1780, c. 5, § 10.*

4. Where any debt, &c. made before the 1st day of September, 1776, has been renewed since that day, and any bond, &c. executed for the same, or where any debt, &c. has been *bona fide* created or made, since the 1st day of September, 1776, for gold, silver, or sterling, in such cases the bills of credit issued by congress, or by any act of assembly, shall not (after the passing of this act) be a tender or payment for any such debt, &c.—*ibid.*

See *attachment, 9, 20, 26, 34.—arrests, 1.—limitation of actions, 1.*

DEBTS PUBLIC.

1. **T**H E auditor general, or any person or persons authorized by congress, may cause process to issue in the general or any county court of this state, for any debt due, or to become due to the United States, against any person or persons whatever, inhabiting, residing, or being found within this state, or against any person or persons, who have, or shall receive money from the treasury of the United States, or by order of congress and have not, or shall not render an account for the same; and a declaration or short note expressing the cause of action, being filed with the clerk of the court before issuing the writ, and a copy of such declaration, &c. being served on the defendant or defendants, 20 days before the return of such writ in the general court, and 8 days in the county court, and the justices of the said courts respectively, shall cause such defendant, &c. to plead to issue, and shall proceed to trial or judgment the first court, and shall not allow any imparlance, unless where evidence is wanted without which the parties or either of them cannot safely go to trial, which fact, as also a reasonable endeavor to obtain such evidence, shall be made appear to the court, by affidavit, or testimony of some indifferent witness; and where the writ and short note, or writ and declaration are not served in time, the justices of the general or county courts shall allow one imparlance, and no more, unless evidence be wanted as above specified.—*March, 1778, c. 9, § 2.*

2. The governor and council, or a committee of the general assembly, may cause like process to issue in the general or county courts of this state, against any person or persons inhabiting, residing, or being found therein, being indebted to this state by bond or otherwise, or have or shall receive money from the treasury thereof for which no account is rendered