

plea shall be tendered, verify the same by affidavit, or affirmation, to the truth thereof, or unless the defendant, being heir, executor or administrator, of the person alledged to have made the deed, obtain leave from the court upon shewing just cause, to put in such plea.—1785, c. 80, § 3. See *Bonds public*, 5. *Chancellor*, 10, 11, 16, 18.

NON RESIDENTS.

IN all cases where suits may hereafter be brought by any person or persons, nonresidents of this state, or who may remove out of the state after the bringing of such suit or suits, the defendant or defendants against whom such suit may be commenced, or his, her or their attorney, may lay a rule, at or before the trial court, on such plaintiff, or plaintiffs, or his, her or their attorney, to give security for all costs and charges that the said defendant or defendants may be put to in case such plaintiff or plaintiffs shall be nonsuited, or judgment be given against them, and in case of non-compliance with such rule, judgment of nonsuit shall be entered; but if any defendant or defendants shall lay a rule on any plaintiff or plaintiffs for security for costs at the trial court, then and in such case the court granting said rule may, at the instance or motion of the plaintiff or plaintiffs by his, her or their counsel, in their discretion, continue said cause until the next term.—1796, c. 43, § 12.

See *Administrators*, 14. *Attachment*, 34. *Bacon, &c.* 1, 3, 6. *Chancellor*, 36, 40. *Chancery*, 10, 34, 41, 44. *Columbia*, 1. *Conveyances*, 15, 18. *Creditors*, 1. *Depositions*, 2, 5. *Fieri facias*, 4, 5. *Limitation of actions*, 9, 10, 13, 14. *Public creditors*, 6.

NON SUIT.

1. **T**HE plaintiff, in any action in the county court, shall be nonsuited, where the just balance of the demand doth not exceed 40*lb.* tobacco, or 33*s.* 4*d.* in money.—1715, c. 41, § 4.

2. In the provincial court the plaintiff shall be non-suited, where the just balance is under 1500*lb.* tobacco, or 6*l.* 5*s.* in money.—*ibid.* § 5.

See *Abatement*, 3. *Administrators*, 18. *Arrests*, 2. *Costs of suit*, 10. *Fish*, 3. *General court*, 14. *Guardians* 24, 26. *Nonresidents*, 1. *Ordinary keepers*, 4. *Officers fees*, 1. *Records*, 5, 8. *Replevin*, 5, 9. *Runaways*, 10. *Suits at law*, 2.

OATH