

(4)
Lib^r C

Plaintif (if the defendants answers be of Record or otherwise upon affidavit of one witness beside the plaintiff) that such acknowledging or confessing of the bill under the hand of the defendant is the very and true hand and answer of the defendant) shall or may have execution for levying of the said demand or so much thereof as shall be so acknowledged and confessed by the defendant. And if the defendant by himself or his Attorney shall deny the demand of the plaintiff and the plaintiff have no bill speciality or witness of his demand the partie plaintiff (if the Court shall think fitt the worth and credit of the plaintiff considered) by himself or his attorney (authoris'd thereunto specially by the plaintiff) may be admitted to make oath of the truth of his book account or principall debt demanded which oath so made shall be a sufficient evidence to the Jury or otherwise to the Court (if the tryall be by the Court) to convict the defendant of the said principall debt or demand so affirmed by oath or otherwise, ^{the Defendant} shall or may be admitted to wage his law in such manner as the Court shall appoint. And if the defendant shall not return being send deliver make or enter his answer within the time within the time appointed in the writt or at the time so appointed shall not (by himself or his attorney sufficiently instructed to make his defence) appear upon Summons there made in the Court the Court upon affidavit made that the defendant was lawfully served with the said writt shall or may award such Judgement in the said cause either in behalf of the plaintiffs bill or in giving damages to the plaintiff or otherwise giving further day to the defendant as the Court shall think fitt.

And