

Testimony of the witnesses that have testified to the said bonds bills —  
Accounts or otherwise all which if the said Executor or Administrator —  
refuse or neglect to do then the said matter and thing by the publick  
Notary or other Officer appointed as aforesaid Certified shall not be received  
in Evidence for Valid against the Debtor

AND be it Enacted by the Authority aforesaid that all and  
every the attorney and attorneys who shall be employed in the  
Prosecution of such Sutes shall put in Security to pay the Defendant  
all such Costs and Charges as shall be by the Defendant in that  
Case expound in Case the plaintiff be Cast in Suit and to the End if no  
honest Debtor who shall not flee from the place or County where  
he Contracted his debt nor willfully absconded himself or fled from  
Justice shall be surprized by unnecessary and vexatious Sutes at law  
Be it Enacted by the Authority advice and Consent aforesaid  
no person whatsoever residing or Trading in or to this Province —  
their Executors administrators agents Factors or Assignes shall  
for any Sum or Sums of Tobacco or money due or owing to him by  
account upon book or otherwise and for which the Debtor hath  
not past his hand and Seal to such his Creditor sue and Implead  
Such Debtor his Ex<sup>or</sup> or Adm<sup>r</sup> in any Court of record within this  
Province unless he shall first demand and require the same of  
Such Debtor proper person or otherwise at the habitation or  
place of residence of the said Debtor in the County where he  
shall dwell to prove which demand the Creditor or Demandant  
oath shall be sufficient And if the Debtor be not at home  
to be Spoken with then Such Demandant shall leave a note under  
the hand of Such Creditor or Demandant or those he shall Impower  
to receive the same what time and to whom the same shall be paid  
and if thereupon the same be not paid accordingly then it shall and  
may be lawfull for such Creditor to sue and Implead Such his debtor  
and recover against him all such Costs and damages as upon a full  
tryall in any Court of this Province having Cognizance of the  
Cause shall be adjudged as before the making this act.

Be it in Case any person or persons shall sue and Implead such his  
Debtor as aforesaid without making demand as aforesaid and the Debtor  
plead that the debt was never demanded by Such plear the Debtor —  
shall be taken to admit the plaintiffs declaration to be good & shall  
only put the demand in Issue which Issue if the plaintiffs do not Joyu  
then the plaintiffs shall be taken to have made no demand and

shall