

If the creditor be dead, then the same steps, as above directed, are to be taken by the executors or administrators of such deceased creditor, who, instead of the creditor's deposition, shall set forth and declare, upon their oath,

“ *Whether or no they have not heard the creditor in his life time, acknowledge that debt, or any and what part thereof, to be satisfied; or whether or not (upon sight of the creditor's book, writing or accounts) they have not seen credit given to the debtor since the day of the making the said bills, bonds or beginnings of the accounts so sued for.*”

All which must likewise be certified under the hand and seal of such notary publick, or other proper officer, or such other matters or things so certified, shall not be received in evidence.

Statute of 5
Geo. 2d. c. 7,
for recovery
of debts in
the plantations.

Since the making of which act, the statute of 5 Geo. 2d. ch. 7 was enacted, ordaining,
“ that from and after the twenty-ninth day of September which shall be in the year of our Lord one thousand seven hundred and thirty-two, in an action or suit then depending, or hereafter to be brought in any court of law or equity in any of the said plantations, for or relating to any debt or account wherein
“ any