

nient under all circumstances; and the court of law shall have power to direct the jury, and grant a new trial, as if the issue or issues were in a suit therein instituted, and a certificate from such court, or any judge thereof, of the verdict or finding of the jury, under the seal thereof, shall be admitted by the orphans court to establish or destroy the claim, or any part thereof; and if the executor shall give in such claim, or the same, or any part, be established as aforesaid, he shall account for the sum due in the same manner as if it were so much money in his hands, and on failure his bond may be put in suit.

SEC. 21. In like manner it shall be the duty of every administrator to give in a claim against himself, and on giving it, or failure to give it in, there shall be the same proceedings in every respect as are herein prescribed with regard to an executor.

SEC. 22. No executor or administrator shall discharge any claim against the deceased, (otherwise than at his own risk,) unless the same be first passed by the orphans court granting the administration, or unless the said claim be proved according to the following rules.

By 1820, ch. 74, an executor, for his protection, may return, within one year, a list of debts due from the deceased, which shall be prima facie evidence of the debts due from the deceased.

CHAPTER IX.

SEC. 1. The voucher or proof of a judgment or decree shall be a short copy thereof, under seal, attested by the clerk or register of the court, where it was obtained, who shall certify, that there is no entry or proceeding in the court, to shew that the said judgment (or decree) hath been satisfied; there shall likewise be a certificate of some person authorized to administer an oath endorsed on, or annexed to, a statement of the debt due on such judgment or decree, that the creditor, since the death of the deceased, hath taken before him the following oath, or affirmation, viz. 'That he (or she) hath not received any part of the sum for which the judgment or decree was passed, except such part (if any) as is credited;' and if the creditor on the judgment or decree be an assignee of the person who obtained it, the oath, or affirmation, shall go on, and say further, 'and that, to the best of his (or her) knowledge or belief, no other person hath received any parcel of the said sum, except such part (if any) as is credited' and an assignee shall also produce the assignment, under the hand of the assignor; and if there hath been more than one assignment, each assignment shall be produced under the hand of the party.

Rules for authenticating or proving claims against a deceased person.

SEC. 2. If a special bail shall have discharged a judgment against the deceased, he shall be considered as the judgment creditor, and in case the plaintiff who obtained the judgment