

And, altho' such a probate will be accepted to an account which is proved in time, yet should the account not be fully proved, the oath of an indifferent person must be obtained, to strengthen such probate.

Debts proved
by indifferent
testimony.

If the debt due on account is not fully proved, nor in time, yet, if the debt can be proved by the oath of any indifferent person, together with a deposition by the creditor, that the debt is just and true, and that he hath not received any part thereof, &c. with his receipt thereon, it is a sufficient voucher.

By the
debtor's
books.

When it happens that the deposition of indifferent witnesses cannot be obtained, to prove the legality of an account not fully proved, or not proved in time, it is sufficient that the same appear to have been contracted by the books or papers of the deceased debtor, with the executor's or administrator's personal knowledge of the rectitude thereof, so that they may be able to swear to that effect; an account so circumstanced, with the creditor's deposition and receipt, as above directed, may be allowed; for, on a suit in equity, recovery might be had in such case on a discovery, and it is reasonable, that an executor or administrator, should, on
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