

hereunto untill the next Provinciaall Court & it is granted him the same day is given to the said Marke. Liber N N

Now here at this day to wit the twelfth day of April in the first yeare of the Dominion of Charles Lord Baltemore &c Annoꝝ Doꝛn 1676 came the said Marke by his Attorney and the said Evan by his Attorney came also and the said Evan saith that the said Marke his Action aforesaid against him ought not to have, because he saith that by a certaine Act of Assembly begunn & held at the City of s<sup>t</sup> Maries the thirteenth day of April in the yeare of Our Lord 1669 entituled an Act for Limitation of certaine actions for avoiding suits at Law it was amongst other things enacted That all actions of trespasse Quare Clausum fregit, all actions of trespas detinue, sur trover & replevin for takeing away goods & Chattells all actions of accompt contract debt booke and upon the case other than Such accompts as concerne the trade of merchandize between merch<sup>t</sup> and merchants their ffactors & Servants that are not resident within this Province all actions of debt for lending or contract without Specialty all actions of debt for arrearages of Rent and all actions of Assault menace battery wounding and imprisonment or any of them which shall be sued or brought by any person or persons within this Province at any time after the end of the said Assembly shall be comenced and Sued within the time hereafter expressed That is to say the said actions of the case other then for Slander and the Said actions of accompt and the said actions of trespas detinue debt & replevin for goods & chattells and the said actions of trespas Quare Clausum fregit within two yeares next after the end of that Sessions of Assembly or within two yeares next after the cause of such actions and not after, and the said actions upon the case for words & actions of trespas and assault battery wounding imprisonment or any of them within One yeare after the end of that Generall Assembly or within One yeare after such cause of action & not after as by the said Act may more at large appeare And the Said Evan further saith that the said Assembly ordered the sixth day of May in the said Yeare of Our Lord 1669 and the goods & merchandizes by the declaration supposed to be sold & delivered to the said Evan on which the consideration for the assumpsit is grounded were by the plaintiffs own shewing delivered unto him betweene the twelfth day of January 1670 and the tenth day of April 1673 and that the said Marke his writ for the said action the six and twentieth day of November in the yeare of Our Lord 1675 tooke Out and not before which writ in forme aforesaid presented, was not prosecuted within two yeares next after the end of the aforesaid Sessions of Assembly nor within two yeares after the cause of action or suite aforesaid according to the forme of the Statute aforesaid and this he is ready to averre and demandes judgment that the Said Marke his action aforesaid against him ought to have. p. 164