

## CHAP. 3. For the continuation of certain acts.

This statute may be said to have been applicable, as far as it continued those of 22 Hen. 8, Ch. 14, respecting clergy, &c. that were so.

## CHPP. 5. For the continuation of debts upon execution.

See 2 Bac. Abt. title Execution, B; and see the note on the statute of Acton Burnel, 11, Edw. 1.

## CHAP. 36. For the exposition of the statute of fines.

See the note on 18 Edw. 1, St. 4.

## CHAP. 38. For marriages to stand notwithstanding pre-contracts.

See 1 Bac. Abt. Baron and Feme, A; and 1 Bl. Com. 435. The act touching marriages in 1640, directed caution to be entered that neither party was within the forbidden degrees, &c. See also February 1777, Ch. 12.



34 and 35 Hen. 8.—A. D. 1542—3.

## CHAP. 5. The bill concerning the explanation of wills.

See the note on 32 Hen. 8, Ch. 1.



1 Edw. 6.—A. D. 1547.

## CHAP. 7. The continuation of actions after the death of any king.

It is presumable that this statute as far as it concerned the continuance of actions, was in force in the province, especially when the government was seized by the crown; but in 1751, an act was passed for the continuation of actions, &c. which provided that suits, &c. should not be discontinued by the death of the proprietor, which act has ceased to have any operation since the adoption of the state government.

## CHAP. 12. An act for the repeal of certain statutes concerning treasons and felonies.

By the 10th section of this statute, the benefit of clergy was taken away from several offences, viz. from murder, which has been noted under the statute, 23 Hen. 8, Ch. 1. 2d. From the offence of breaking any house by day or by night, any person then being in the same house. 3d. Robbing any person in the highway, or near the highway. 4th. Stealing horses, geldings or mares. 5th. Felonious taking of goods out of a church.

As to the 2d class, there are in the provincial records some cases of prosecutions, which appear to have been under this statute, and still more under those of 39 Eliz. Ch. 15, and 3 and 4 W. and M. Ch. 9, both before and after our acts of assembly respecting house breaking, in which the offenders were capitally convicted.

It will not be necessary to go into a particular statement of these cases, as such offences are now punishable under the act of 1809, Ch. 138; although it does not take in all the kinds of larceny from the