

The 25th section was in force, with that of 22 and 23 Charles 2, Ch. 10, on which a note has been made.

The parts of this statute which have not been remarked on, are considered as having been, and remaining in force, and appearing to be so from the general usage and practice of the courts; and the result of the enquiries made, is, that the parts proper to be incorporated with our laws, are sections 1, 2, 3, 4, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21 and 22.

With respect to the 24th section it is further to be observed, that by the act of 1715, Ch. 29, for the better administration of justice in testamentary affairs, the judge or commissary general, was directed to proceed according to the laws of England then in force, or to be thereafter in force, within 12 months after such laws should be published in Great-Britain, if pleaded before him, saving in such cases as by that act was provided; and he was authorised to take the probat of any will, although the same concerned titles to land.

CHAP. 7. An act for the better observation of the Lord's day, commonly called Sunday.

The last section, as to arrests, in force. This statute is mentioned in the letter from S. Chase



*2 William and Mary, St. 1.—A. D. 1690.*

CHAP. 5. An act for enabling the sale of goods distrained for rent, in case the rent be not paid in a reasonable time.

See 2 Bac. Abt. title Distress, D. It is under this statute (with others subsequently passed,) that goods distrained for rent are to be appraised and sold. Although the reserving of such goods, or breaches of pound, or wrongful distresses are not very common in the state, yet such acts require to be restrained, either by the incorporation of the 4th and 5th sections of this statute, together with the other parts, or by some new regulations.



*3 William and Mary.—A. D. 1691.*

CHAP. 14. An act for the relief of creditors against fraudulent devises.

This statute was in force in the province, and remained so in the state. A further provision was made on this subject by the act of 1797, Ch. 113; the preamble to which is as follows: "Whereas by the British statute, entitled, An act for the relief of creditors against fraudulent devises, which hath been extended to, and practised under in this state, &c." It is thought proper, (although that act is still in force,) that this statute should be incorporated, &c. This statute is mentioned in the letter from S. Chase, which has been referred to.



*4 and 5 William and Mary.—A. D. 1692.*

CHAP. 16. An act to prevent frauds by clandestine mortgages.

This statute is considered to have been in force in the province, and in the state, and as being proper to be incorporated, &c.