

them for the use of her Majesty and the Informer or Seizer.

And be it further enacted by the Authority aforesaid, that the *onus probandi* shall be on the part of him that causes the same to be replevined to make it appear in any Court of Record in this Province that such things seized as aforesaid are not lyable to seizure as aforesaid, which if he do he shall be quit and carry his goods away, but if he do not the seizer shall have judgment to have the goods & things so by him seized returned one half thereof to be delivered to the informer and the other half to remain in the custody of the Sheriff for the Queens use. This Act to endure for three Years or to the End of the next general Assembly which shall first happen.

*An Act for limitation of certain Actions for avoiding Suits at Law.*

As much as nothing can be more Essential to the Peace and Tranquility of this Province than the quieting the Estates of the Inhabitants thereof, and for the effecting of which no better measures can be taken than a limitation of time for the commencing such Actions as in the several and respective Courts within this Province are brought from the time of the cause of such Action accruing.

Be it Enacted by the Queens most Excellent Majesty by & with the advice & consent of her Majestys Governour Council & Assembly of this Province & the authority of the same, that all Actions of Trespass *quare clausum fregit*, all Actions of Tretails, Detinue, Sur-trover or Replevin for taking away goods or chattels and Actions of account contract, debt, bond or upon the case other than such accounts as concerns the trade of Merchandize between Merchant & Merchant their Factors & Servants which are residents within this Province, all Actions of debt for lending or contract without specialty, all Actions of debt for arrearages of Rent, all Actions of Assault, Murther, Battery, Wounding & Imprisonment or any of them shall be sued or brought by any person or persons within this Province at any time after the end of this present general Assembly shall be commenced or sued within the time & limitation hereafter expressed and not after, (that is to say) the said Actions of Accounts and the said Action for Detinue & Replevin for goods and chattels, and the said Actions for Trespass *quare clausum fregit* within three Years ensuing the cause of such Action and not after, and the said Actions on the case for Words & Actions of Tretails of Assault, Battery, Wounding & Imprisonment or any of them within one year from the time of the cause of such action accruing and not after. And

Be it further Enacted by the Authority aforesaid, that if any person intitled to any the action or actions aforesaid shall be at the time of any such cause of action accruing within the age of one & twenty years, Feme Covert, *non Compos Mentis*, in banishment or beyond the Seas, that then such person or persons shall be at liberty to bring the same action or actions within the time as is before limited after their coming to or being of full age, sound memory, at large or returned from beyond the Seas as other person having no such impediment might or should have done.

And forasmuch as divers disputes formerly arose whether persons absenting the Province or wandring from County to County until the time by the late Act for the reasons & purposes aforesaid limited & allowed were expired should have any benefit thereby, and different judgments given thereon in the several and respective Counties within this Province for that the said Act was altogether silent.

Be it therefore Enacted by the Authority aforesaid, that from & after the publication hereof no person or persons whatsoever absenting themselves out of this Province, or that shall remove from County to County after any debt contracted whereby the creditor or creditors may be at an uncertainty of finding out the said person or persons or his or their Effects shall have any benefit by the limitation or restriction in this Act specified.

Provided allways that it is the true intent and meaning hereof that this Act or any thing herein contain'd shall not be construed reputed or taken to prejudice or debar any person removing himself or family from one County to another for his convenience, or any person leaving this Province for the time & term in this Act limited from the time thereof he leaving effects sufficient & known for the payment of his just debts in the hands of some person or persons who will assume the payment thereof to his creditors, any thing in this Act contain'd to the contrary hereof in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid by & with the Advice & Consent aforesaid, that no Bill, Bond, Judgment, Recognizance, Statute Merchant & of the Staple or other Specialty whatsoever shall be good and pleadable or admitted in evidence against any person or persons of this Province after the principal Debtor and Creditor have been both dead twelve Years, or the debt or thing in Action above twelve years standing.