

An ACT for Limitation of certain Actions for avoiding Suits at Law.

The Necessity thereof.

FORASMUCH 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 of such Actions as in the several and respective Courts within this Province are brought, from the Time of the Cause of such Actions accruing :

The Actions enumerated that are limited.

Be it Enacted, by the King's most excellent Majesty, by and with the Advice and Consent of His Majesty's Governour, Council and Assembly of this Province, and the Authority of the same, That all Actions of Trespass, Quare Clausum fregit, all Actions of Trespass, Detinue, Sur-Trover, or Replevin, for taking away Goods or Chattels, all Actions of Account, Contract, Book-Debt, or upon the Case, other than such Accounts as concern the Trade or Merchandize between Merchant and Merchant, their Factors and Servants, which are not Residents within this Province, all Actions of Debt, for Lending or Contract without Specialty, all Actions of Debt for Arreara ges of Rent, all Actions of Assault, Menaces, Battery, Wounding and 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 Sessions of Assembly, shall be commenced or sued within the Time and Limitation hereafter expressed, and not after (that is to say) the said Actions of Account, and the said Actions upon the Case, upon simple Contract, Book-Debt or Account, and the said Actions for Debt, Detinue or 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 of the Case, for Words, and Actions of Trespass, of Assault, Battery, Wounding and Imprisonment, or any of them, within One Year from the Time of the Cause of such Action accruing, and not after.

Actions of Account, Case on simple Contract, Book-Debt or Account, Debt, Detinue, Replevin, Trespass, Quare Clausum fregit, to be brought within Three Years.

Case for Words, Trespass, Assault, Battery, Wounding, Imprisonment within One Year.

Salvo to Infants, Feme Coverts, Non Compos Mentis, Imprisoned or beyond Sea.

Not pleadable by Persons wandering from County to County, &c.

And be it further Enacted, by the Authority aforesaid, That if any Person entituled to any the Action or Actions aforesaid, shall be at the Time of any such Cause of Action accruing within the Age of One and Twenty Years, Feme-Covert, Non Compos Mentis, imprisoned or beyond the Sea, that then such Person or Persons shall be at Liberty to bring the said Action or Actions within the respective Times before limited, after their coming to or being of full Age, Sound Memory, at Large, or returend from beyond the Seas, as other Persons having no such Impediment might or should have done.

And forasmuch as diverse Disputes formerly arose, whether Persons absenting the Province or wandering from County to County, until the Time by the late Act, for the Reasons and Purposes aforesaid, limited and 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 and after the Publication hereof, no Person or Persons whatsoever, absenting themselves