

C H A P. XXII.

An ACT for securing merchants and others tobacco, after they have received it, and declaring the altering the mark or quality thereof to be felony, and against false packing. Lib. LL. No. 4. fol. 155. Passed 3d of June, 1715.

C H A P. XXIII.

An ACT for limitation of certain actions, for avoiding suits at law. Lib. LL. No. 4. fol. 158.

Supplementary and other acts 1715, ch. 46, 1729, ch. 24, 25, November, 1765, ch. 12, February, 1777, ch. 15, October, 1778, ch. 21, October, 1780, ch. 5, April, 1782, ch. 55, 1784, ch. 65, 1785, ch. 10, 1786, ch. 18, 1789, ch. 26, 1797, ch. 89.

FORASMUCH as nothing can be more essential to the peace and tranquillity 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; Preamble.

II. BE IT ENACTED, by the King's most excellent majesty, by and with the advice and consent of his majesty's Governor, 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, debt, book, or upon the case, other than such accounts as concerns the trade or merchandise 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 arrearages 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 session 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 and 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, 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 to be brought within three years, &c.

III. AND BE IT FURTHER ENACTED, by the authority aforesaid, That if any person entitled 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 seas, 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 returned from beyond the seas, as other persons having no such impediment might or should have done. A saving to infants, &c.

IV. AND, forasmuch as divers 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 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. (a) Certain persons to have no benefit, &c.

(a) By November, 1765, ch. 12, persons liable to any action, who may be absent at the time when the cause thereof accrues, shall not have any benefit by this act, provided that after their presence such actions shall be commenced within the time limited. V. PROVIDED ALWAYS, and it is the true intent and meaning hereof, That this act, or any thing herein contained, shall not be construed, reputed or taken, to prejudice or debar any person removing himself or family from one county to another for his conveniency, or any person leaving this province for the time and term in this act limited, from the benefit thereof, he leaving effects sufficient and 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 contained to the contrary hereof in anywise notwithstanding. Proviso.

VI. AND BE IT FURTHER ENACTED, by the authority aforesaid, by and with the advice and consent aforesaid, That no bill, bond, judgment, recognizance, statute merchant, or of the staple, or other specialty No bill, &c. to be good, &c.