

LIEN.

Bonds taken in virtue of this act shall be a lien on the real property of the obligors, or on so much thereof as the governor and council shall think sufficient, to be mentioned in a schedule to be annexed thereto. *Ibid.* § 17.

LIMITATION OF ACTIONS.

All actions of trespass *quare clausum fregit*, trespass, detinue, trover, or replevin for taking away goods and chattels, actions of account, contract, debt, book or upon the case, (except such accounts as concern merchant and merchant, their factors and servants, who are not residents here,) actions of debt for lending, or contract without specialty, and actions of debt for arrearages of rent, shall be sued within three years ensuing the cause thereof. 1715, ch. 23, § 2.

Actions on the case for words, actions of trespass, of assault and battery, wounding and imprisonment, or any of them, shall be sued within one year ensuing the cause thereof. *Ibid.*

Persons being at the time of such cause accruing within the age of twenty-one years, *feme-covert*, *non compos mentis*, imprisoned, or beyond the seas, may bring such actions within the respective times limited after such disabilities are removed. *Ibid.* § 3.

No person absenting himself from the state, or removing from county to county, after any debt contracted, so that his creditors cannot with certainty find his person or effects, shall have any benefit of such limitations. *Ibid.* § 4.

No person so absent at the time when the cause of action accrues shall have any benefit of such limitation, provided that such action be commenced after the presence of the person liable, within the time limited by the act of 1715, ch. 23, November, 1765, ch. 12, § 2, 3.

Nothing in this act shall prejudice persons removing from one county to another for convenience, or leaving the state for the time therein limited, they leaving effects sufficient and known in the hands of such as will assume to their creditors payment of their just debts. 1715, ch. 23, § 5.

No bill, bond, judgment, recognizance, *statute merchant*, or *of the staple*, or other specialty, (except in the name or for the use of the state,) shall be good and pleadable after the principal debtor and creditor have been both dead twelve years, or the debt, &c. above twelve years standing. *Ibid.* § 6.

Saving to persons under the impediments of infancy, coverture, insanity of mind, imprisonment, or being beyond the sea, the full benefit of such bills, &c. for five years after such impediments are removed. *Ibid.*

To prevent sheriffs or sub-sheriffs from being injured by the prohibition of taking bonds, &c. without endorsing the account the time of their remaining in office, shall not be accounted in the act of limitations. *Ibid.* ch. 46, § 14.

Actions on administration and testamentary bonds shall be commenced within twelve years after the passing such bonds. 1729, ch. 24, § 21.

Saving to infants, &c. a right of bringing such actions within six years after the disability is removed. *Ibid.*

Actions on sheriffs bonds shall be brought within five years after passing such bonds, saving to the state the right of suing in its own right at any time, and to infants, &c. the liberty of bringing such actions within five years after the disability is removed. *Ibid.* ch. 25, § 3, 4.

The bonds to be given on the assignments or conveyances therein mentioned not to be pleadable after three years, with a saving of three years in case of infancy, &c. 1753, ch. 36, § 2.

See BANKRUPTS.

Informations for sabbath breaking to be made within one month. 1723, ch. 16, § 13.

LIMITATION OF ACTIONS.

Prosecutions, &c. for cursing, drunkenness, and omission to punish the same, within ten days. *Ibid.*

For not reading the said act, for selling liquors and suffering drunkenness and gaming on the sabbath, within six months. *Ibid.*

For a breach of the act relating to the standard of English weights and measures, the action, &c. to be commenced within one year. November, 1765, ch. 1, § 3.

Prosecutions, &c. for any penalty or damages for breach of the act for the inspection of tobacco, or against persons making a seizure, &c. under its provisions, shall be brought within one year. 1789, ch. 26, § 63.

The time from the 26th of July, 1775, to the 1st of July, 1777, not to be considered as part of the time limited for bringing suits that were restricted by resolves of convention. February, 1777, ch. 15, § 7.

This act may be given in evidence on a general replication to the plea of the act of limitations. *Ibid.*

The time from the first of July, 1777, to the time of passing this act, not considered as part of the time limited for bringing suit for any debt. October, 1780, ch. 5, § 14.

This act, and the special matter, may be given in evidence on the general replication. *Ibid.*

The time between the passing this act and the first of January, 1784, not considered as a part of the time limited for bringing suit for any debt. April, 1782, ch. 55, § 5.

This act, and the special matter, may be given in evidence on the general replication to the plea of limitations. *Ibid.*

The time from the discharge of an insolvent prisoner till suit is brought, (on debts due to him,) by the sheriff as trustee, not affected by any act of limitation, if the suit is brought within one year. 1774, ch. 28, § 4.

In any cause referred, if a party or an arbitrator hath died, or shall die before the making of an award, if any arbitrator has refused or shall refuse to act, or if an award hath been or shall be set aside, then all the time from the original writ till such death, refusal to act, or setting aside the award, shall not run or be reckoned as part of the time limited for bringing such suit. October, 1778, ch. 21, § 10.

No prosecution or suit to be commenced for any penalty or forfeiture imposed by the act for the regulation of officers fees, unless within one year from the time of the offence committed. November, 1779, ch. 25, § 19.

In case no suit shall be brought to call in question the adjudication of the commissioners for marking and bounding lands within five years next after recording the return, the marking and bounding such land, and the record thereof, shall be conclusive evidence of the original location thereof. 1786, ch. 33, § 5.

A saving to infants, &c. of five years after the disability is removed. *Ibid.*

The limitations of real estates therein mentioned, by descent or otherwise, not affected by the act to direct descents. *Ibid.* ch. 45, § 6.

Suits under the supplement to the act to establish a market in Elizabeth-town, to be brought within six months. 1793, ch. 9, § 7.

Suits for any thing done under the act for the valuation of property to be brought within six months. 1797, ch. 89, § 29.

If on claims against the estate of a deceased person, exhibited and disputed as therein mentioned, the creditor shall not, within nine months after such dispute or rejection, commence a suit for recovery, the said creditor shall be for ever barred. 1793, No. 101, ch. 8, § 18.

Executors and administrators not bound to avail themselves of the act of limitation to bar what they suppose just claims, but the same shall be left to their honesty and discretion. *Ibid.* ch. 9, § 9.