

An Act to Limit the Continuances of Actions in severall Courts within this Province and Ascertain the Manner of Taking the Evidence of Seafaring Men and for Granting Appeals from the Chancery Court to the Governour and Councill.

Whereas it is represented as an Grievance the Dilatory proceeding and Continuances of Actions in severall of the Courts of this Province whereof for the future Be it Enacted by the Right Hon^{ble} the Lord Generall with the Advice and Consent of his Lordships Councill and the Upper and Lower houses of Assembly and the Authority of the Same that no Action shall be brought in any of the County Courts within this Province shall be longer then Twelve months nor in the Province or high Court of Appeals then Nineteen months nor in the Court of Chancery longer then Twenty months from and after the return of the writs or other process that shall hereafter Issue and that all Actions now depending in any of the Courts be under the like Limitation from the End of this present Session of Assembly Except in Causes where Evidences are wanted from beyond Sea which is left to the Discretion of the Courts where such Cases shall happen and that it shall and may be Lawfull for the severall Courts aforesaid upon the Discontinuance of any Action or Actions as by the Act or Default of the Plaintiff to award him to pay the Costs, but if by the act or Default of the Defendant then to give Judgment for the Plaintiff provided the time of Continuance of any such Suits in the Courts of Law by Adjunction in Chancery or by allowing Infants the benefit of the Statute of Parollemur be not accounted as part of the time of Limitations and whereas it often happens that Actions are Delayed by reason the Evidences in such Suits are Seafaring men or others whose business and Employments calls them out of this Province when such Actions should Regularly come to tryall Be it therefore further Enacted by the Authority Advice and Consent aforesaid that the Deposition of any such Seafaring Man or Others taken before two Justices of any of the County Courts of this Province or one of the Justices of the Province Court in presence of the Adverse party to him that requires such Depositions to be taken if upon due notice he thinks fitt to be present or if upon notice hereunto he be present or if upon the notice being Proved shall be received for as good Evidences in any of the Courts within this Province as if such Evidences were Personally Present upon the Tryall and should Deliver their Evidences in their own voice And Be it likewise Enacted that from and after Twelve months from the End of this Session of Assembly it shall not be Lawfull for any person or persons that shall conceive themselves