

at the Trial of any Action of Assault and Battery, or Action of Trespass, shall and do certify, under his Hand, upon the Back of the Record, that the Assault was sufficiently proved; or that the Freehold and Title of the Land mentioned in the Plaintiff's Declaration was chiefly in Question; or that the Trespass was voluntary and malicious; that then the Plaintiff, in such case, shall recover his full Costs, though the Jury should find Damages to be under *Forty Shillings*.

unless the Judge certify, &c.

VIII. *Provided nevertheless*, That if any Person or Persons that is or are, or that shall or may be entitled to any such Action of Trespass, Detinue, Action of Trover, Replevin, Action of Account, Debt, Trespass for Assault, Menace, Battery, Wounding or Imprisonment, Actions on the Case for Words, be, at the time of any such cause of Action, given or accrued, within the Age of *Twenty-one years*, *Feme Covert*, *non compos Mentis*, imprisoned, or beyond the Seas; in any or either of which Cases, such Person or Persons shall or may be at Liberty to bring the same Actions, so as the same be done within such Times as are herein before limited after their coming to or being of full age, Discover, of sane Memory, at large, and returned from beyond the Seas, as by other Persons having no such Impediment should or might be done.

Proviso, in case of Non-Age, Feme Covert, non compos Mentis, &c.

Actions against Persons beyond the Seas, may be brought after their return.

IX. *And be it further enacted*, That if any Person or Persons against whom there is, shall or may be any Cause of Suit, or Action of Trespass, Detinue, Trover, or Replevin, for taking away any Goods or Cattle, or of Action of Account, or upon the Case, or of Debt grounded upon any Lending or Contract without Speciality, of Debt for arrearages of Rent, or Assault, Menace, Battery, Wounding and Imprisonment, or any of them, be, at the time of such Cause of Suit or Action given or accrued, beyond the Seas; that then such Person or Persons who are or may be intitled to any such Suit or Action shall be at Liberty to bring the said Action against such Person or Persons, after their Return from beyond the Seas, so as