

to have first accrued either at the determination of such tenancy or at the expiration of one year next after the commencement of such tenancy, at which time such tenancy shall be deemed to have determined. Provided always, that no mortgagor or *cestui que* trust shall be deemed to be a tenant at will, within the meaning of this clause, to his mortgagee or trustee.

4. When any person shall be in possession or receipt of the profits of any land or in receipt of any rent, as tenant from year to year or other period, without any lease in writing, the right of the person entitled subject thereto, or of the person through whom he claims, to make an entry or distress or to bring an action to recover such land or rent, shall be deemed to have first accrued at the determination of the first of such years or other periods, or at the last time when any rent payable in respect of such tenancy shall have been received (which shall last happen).

In case of tenant from year to year.

5. No person shall be deemed to have been in possession of any land within the meaning of this act merely by reason of having made an entry thereon.

More entry not deemed possession.

6. No continual or other claim, upon or near any land, shall preverve any right of making an entry or distress, or of bringing an action.

No continual or other claim shall preserve right of entry, &c.

7. When any, or more, of several persons entitled to any land or rent as co-parceners, joint tenants, or tenants in common, shall have been in possession or receipt of the entirety or more than his or their undivided share or shares of such lands or of the profits thereof, or of such rent, for his or their own benefit, or for the benefit of any person or persons other than the person or persons entitled to the other share or shares of the same land or rent, such possession or receipt shall not be deemed to have been the possession or receipt of or by such last mentioned person or persons or of any of them.

Possession of one co-parcener &c., not to be the possession of the others.

8. Provided always, that when any acknowledgment of the title of the person entitled to any land or rent shall have been given to him or his agent in writing, signed by the person in possession or in receipt of the profits of such land, or in receipt of such rent, then such possession or receipt of or by the person by whom such acknowledgment shall have been given, shall be deemed, according to the meaning of this act, to have been the possession or receipt of or by the person to whom or to whose agent such acknowledgment shall have been given, at the time of giving the same, and the right of such last mentioned person, or any person claiming through him, to make an entry or distress or bring an action to recover such land or rent shall be deemed to have first accrued at and not before the time at which such acknowledgment, or the last of such acknowledgments if more than one was given.

Acknowledgment in writing given to the person entitled, or his agent, to be equivalent to possession or receipt of rent.