

to plead one or more special Plea or Pleas therein (being such Pleas as are allowable by Law, and tending to bring in Issue the real Matter of Right between the Parties;) that then, and in such Case, it shall and may be lawful for the said Court, to give such further Time for such Defendant or Defendants to plead such special Plea or Pleas in, as to them may appear reasonable and just, under the particular circumstances of the Case appearing on an Affidavit duly filed for that purpose.

VI. *And Provided also*, That in the Vacation Time of said Court, the Plaintiff or Plaintiffs in such Suit shall be held to give a four Day Rule for the Defendant or Defendants therein to plead, according to the former Practice of the said Court, if the same shall be done within ten Days next before the respective Terms thereof, and not after.

VII. *And be it further enacted by the authority aforesaid*, That on all Issues to be in future tried in said Court, the Party against whom the Verdict may pass, shall be allowed two Days only to move for a new Trial in such Cause; the same to be computed from the Day in which such Verdict shall have been given; and the Merits of the Motion to be argued and decided the same Term, if the Party in favour of whom the said Verdict shall have passed, shall move the Court therefor: Nor shall the argument of any Motion in Arrest of Judgment, made after a Motion for a new Trial, or otherwise, be deferred or postponed to any subsequent Term of said Court, if the Party in favour of whom such Verdict may pass, shall move to have the Merits of such Motion in Arrest of Judgment argued and decided the same Term in which the same shall have been made.

Necessity of pleading one or more special Plea or Pleas, &c.

The Court may enlarge the Rule, on the Matter appearing to them reasonable, by Affidavit.

Proviso.

In Vacation Time, the Plaintiff shall be held to give a four Day Rule, according to the former practice of the Court, if it be done ten days before the commencement of the Term.

Party allowed only two Days to move for a new Trial in, to be computed from the Day of Verdict.

The Merits to be argued and decided the same Term, in Case, &c.

Argument of Motion in Arrest of Judgment, not to be deferred to subsequent Term, in Case, &c.

C A P. II.

AN ACT for the more speedy Assignment and Recovery of Dower.

WHEREAS certain Provisions and Directions in the Law are become necessary, for the more speedy and less expensive Remedy in the Recovery of Dower, by such Persons as are by Law dowable of Houses, Lands, Tenements, and Hereditaments in this Island:

I. *Be it therefore enacted, by the Lieutenant Governor, Council, and Assembly, and by the Authority of the same it is hereby enacted*, That in all Cases where any Person or Persons whatsoever having the Freehold of any Houses, Lands, Tenements and Hereditaments within this Island, shall neglect to assign and set out to the Widow of the deceased, her just or full third Part of such Houses, Lands, Tenements, and Hereditaments, within two Months next after the demand shall have been made by her of the Person or Persons so having the Freehold thereof, it shall and may be lawful to and for such Widow, to sue for and recover her said Dower, by Writ of *Unde Nihil habet*, against such Person or Persons, as hath or have the Freehold of such Houses, Lands, Tenements, and Hereditaments, in the Form following, that is to say,

Preamble.

Where persons having the Freehold in Houses, &c. neglect to set out to the Widow of the Deceased her Dower therein, within two Months after Demand.

such Widow may have Writ of *Unde Nihil habet*, for the Recovery thereof.

George the Third, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, and so forth.
To the Sheriff (or Provost Marshal, as the Case may be,) of our Island of Saint John, greeting.

Form of the Writ.

Command A. B. of &c. that justly and without delay
D. the Wife of E. F. late of &c. deceased, her reasonable Dower which happens

render unto C.