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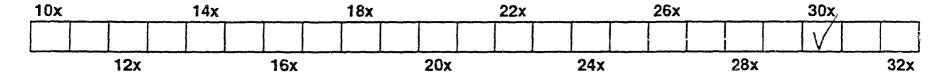
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2nd Session, 3rd Parliament, 12 Victoria, 1849.

BILL.

An Act to alter the Law relating to the Limitation of Actions in this Province.

Received and Read a first time, Friday, 19th January, 1849.

Second Reading, Thursday, 25th January, 1849.

HONBLE. MR. BOULTON.

PRINTED BY LOVELL AND GIBSON.

BILL.

An Act to alter the Law relating to the Limitation of Actions in this Province.

HEREAS by an Act passed in the Preamble. 21st year of the Reign of King James the First, intituled, "An Act for Limitation 21 Jac. 1. c. of Actions, and for avoiding of Suits at Law," 16, cited. 5 it is among other things provided that, if any person or persons that is or shall be entitled to any Action of Trespass, Detinue, Action sur Trover, Replevin, Actions of Accounts, Actions of Debt, Actions of Trespass for 10 Assault, Menace, Battery, Wounding or Imprisonment, or Actions upon the case for Words, be or shall be at the time of any such cause of action given, or accrued, fallen or come, within the age of twenty-one years, 15 Feme Covert, non compos mentis, imprisoned, or beyond the seas, that then such persons shall be at liberty to bring the same actions, so as they take the same within such times as are thereinbefore limited after their coming 20 to or being of full age, discovert, of sane memory, at large and returned from beyond the seas, as other persons having no such impediment should have done: And whereas from the greater facilities of communication 25 between foreign countries, which modern improvements have afforded, than existed at the time of the passing of the said Act, it is no longer expedient to continue such exception in favour of Plaintiffs residing abroad, and 30 it is also unnecessary to continue any such exception in favour of persons imprisoned, or of Femes Covert: Be it therefore enacted, &c.

And it is hereby enacted by the authority of After 1st Jan. 35 the same, that from and after the first day of next, Plain
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reply residence beyond the seas, coverture or imprisonment, to a plea of limitation.

January next, the Plaintiff or Plaintiffs in any action or suit thereafter to be brought, shall not be permitted to reply his or their residence beyond the seas, or beyond the jurisdiction of the Courts of Canada, coverture or imprisonment, to any plea of the said Act, or of any other Statute of Limitations, and he, she, and they shall be as effectually barred, and the said Statute and every other Statute of Limitations shall run against him, 10 her or them, during the time of his, her, or their residence beyond the seas, or beyond the jurisdiction of the Courts in Canada, and during her coverture, or his, her, or their imprisonment, in the same manner and with 15 the like effect as if he, she, or they had been resident within the Province during such period, discovert or at large, anything in the said Proviso to the said Statute, or in any other law to the contrary thereof notwith- 20 standing.