

CHAPTER CCCXCV.

1752.

An ACT to prevent disputes about the dates of conveyances, and other instruments and writings.

WHEREAS by an act of parliament, made in the twenty-fourth year of the present reign, entitled *An act for regulating the commencement of the year, and for correcting the calendar now in use*, it is enacted, That in and throughout all his majesty's dominions and countries in Europe, Asia, Africa and America, belonging or subject to the crown of Great-Britain, the supputation, according to which the year of our Lord beginneth on the twenty-fifth day of March, should not be made use of from and after the last day of December, one thousand seven hundred and fifty-one, and that the first day of January, next following the said last day of December, should be reckoned, taken, deemed and accounted, to be the first day of the year of our Lord one thousand seven hundred and fifty-two, and so on, from time to time, the first day of January in every year, which should happen in time to come, should be reckoned, taken, deemed and accounted, to be the first day of the year; and that each new year should accordingly commence and begin to be reckoned from the first day of every such month of January next, preceding the twenty-fifth day of March, on which such year would, according to the supputation aforesaid, have begun or commenced; and that all acts, deeds, writings, notes and other instruments, of what nature or kind soever, which should be made, executed or signed, upon or after the said first day of January, one thousand seven hundred and fifty-two, should bear date according to the new method of supputation: And whereas, for the ease of the inhabitants of this province, who scrupled to call the names of the months as they were commonly called, but the month which others called March they called the first month, and so of the rest of the months of the year, according to the old supputation of the year, beginning on the twenty-fifth day of the month called March, then generally received throughout the king's dominions, an act of the general assembly of this province was passed in the ninth year of the late queen Anne, entitled *An act to prevent disputes which may hereafter arise about the dates of conveyances, and other instruments and writings*, whereby it was enacted, that all instruments and writings whatsoever, wherein the names of the months were called the first, second, third, and fourth, instead of March, April, May and June, and so of the rest, should be judged and taken as valid and effectual in law, as if the months in such writings had been set down and expressed by the usual names.

II. And forasmuch as many of the sober inhabitants of this province are still conscientiously scrupulous of calling the names of the months as they are usually called, yet hold themselves in duty bound to comply with the act of parliament herein before recited: Therefore, for preventing disputes and controversies concerning the dates, of such instruments and writings, since the passing of the act of parliament aforesaid, *Be it enacted*, That all deeds, conveyances, mortgages, letters of attorney, or powers of agency, commissions, bonds, bills, charterparties, leases, releases, contracts, articles, receipts, and all other instruments and writings whatsoever, since the first day of the

Recital of an act of Parliament regulating the commencement of the year. [24 Geo. 2, chap. 23.]

Of an act of assembly about the names of the months:

Which is hereby supplied:

1752. month called January last, wherein the names of the months are called first, second, third and fourth, instead of January, February, March, April, and so of the rest, accounting always the month called January to be the first month of the year, shall and are hereby enacted and declared to be as good and available, and may be pleaded, and shall be deemed, adjudged and taken, in all courts of judicature, and elsewhere, within this province, to be as valid and effectual in law, to all intents, constructions and purposes, as if the months in such writings had been set down and expressed by their usual names, any law, custom or usage, to the contrary thereof in any wise notwithstanding.

And repealed,
(chap.
175.)

III. *And be it further enacted*, That the act of assembly aforesaid, entitled *An act to prevent disputes which may hereafter arise about the dates of conveyances, and other instruments and writings*, passed in the ninth year of the late queen Anne, and every clause, part and paragraph thereof, shall be and is hereby repealed and made void.

Passed 11th March, 1752.—Recorded A. vol. III. page 299.

CHAPTER CCCXCVIII.

An ACT for regulating and establishing fees. (y)

XXXVIII. *AND be it further enacted*, That no attorney or practitioner at law shall be admitted to make any plea at the bar, except in his own case, without taking the following qualification by oath or affirmation, viz.

Attorney's
qualification.

THOU shalt behave thyself in the office of attorney within the court according to the best of thy learning and ability, and with all good fidelity, as well to the Court as to the client: Thou shalt use no falsehood, nor delay any person's cause for lucre or malice.

Passed 22d August, 1752.—Recorded A. vol. III. page 255.

(y) This act was supplied, (chap. 1852,) and repealed by a general declaration, that "From and after the 1st day of October, 1795, the several laws of this commonwealth for regulating fees shall be repealed." The 38th section seems, however, not to have been within the design of the repeal, and is, therefore, preserved in this republication.

CHAPTER CCCXCIX.

An ACT for regulating attachments not exceeding five pounds. (z)

WHEREAS in the execution of a law of this province, passed in the twelfth year of the reign of king William the third, entitled *An act about attachments under forty shillings* many fraudulent practices have happened, not only to the injury of such creditors, whose demands have exceeded the sums in the said act limited, but of such other creditors also as were willing to accept of an equal share

(z) For a general reference to the laws and adjudications in cases of foreign and domestic attachments, see ante. chap. 142, page 45, and chap. 263, page 158, and the notes thereto subjoined.