

1705.

and this will be an effectual bar for the amount.

MSS. Reports, Supreme Court.

But if the Garnishee in a foreign attachment, pay over to the plaintiff the debt attached, without being compelled by due process of law, and without requiring the stipulation ordered by act of assembly, it will not discharge him from the original debt. 1 Binney, 25.

The security given by the plaintiff as to disproving the debt within a year and day, must be in the court where judgment was entered in the original action. *MSS. Reports, Supreme Court.*

A plea in abatement by Garnishees, on a *scire facias*, on a foreign attachment, that one of the partners was not named, is not a good plea. *MSS. Reports, Supreme Court.*

Where one tract of land is attached under a foreign attachment, and so returned, the Court cannot even by rule, substitute a different tract. *Lessee of Steinmetz and Bell v. Nixon. Circuit*

Court at Bedford, November 1801. MSS. Reports.

In a foreign attachment, the plaintiff may be called upon to shew his cause of action, though after the third Court. Fictions of law shall work no wrong. *MSS. Reports, Supreme Court.*

A foreign attachment was set aside, a judgment having been obtained for the demand in another state, and an execution levied thereupon. *MSS. Reports, Supreme Court.*

Upon the plea of *nulla bona* to a *scire facias* against a Garnishee, the jury must find the *specific* goods in the Garnishee's hands; a verdict, finding goods of a certain value in the defendants' hands is bad. But if they find the goods, they may also find their value, to save the necessity of a special inquest. 1 Binney, 481. See sect. 2, of the act in the text.

For cases of domestic attachment, see the notes under the particular acts respecting attachments against absconding creditors.

CHAPTER CXLV.

The LAW about seven years quiet possession. (b)

Quiet possession where to give right.

BE it enacted, That seven years quiet possession of lands within this province, which were first entered on upon an equitable right, shall forever give an unquestionable title to the same against all, during the estate whereof they are or shall be possessed, except in cases of infants, married women, lunatics, and persons not residing within this province or territories.

Passed in 1705.—Recorded A. vol. I. page 195.

(b) For an act limiting the period for commencing certain actions, see *post. chap. 196*, which is extended to actions on promissory notes by a subsequent law, *post. chap. 207*. On the 20th of March, 1785, (chap. 1134,) an act

was passed for the limitation of actions to be brought for the inheritance or possession of real property, or upon penal acts of assembly. (*Note to former edition.*)

CHAPTER CXLVII.

An ACT against mixing and adulterating strong liquors.

Penalty on selling adulterated strong liquors.

FOR the preventing of fraud in mixing and adulterating rum, brandy, or such like spirits, *Be it enacted*, That if any person within this province shall presume to sell rum, brandy, or such like spirits, that is adulterated or mixed with water, or any other liquor, knowing the same to be so adulterated or mixed, being convict thereof, by one or more credible witnesses, he or she shall, for every such offence, forfeit the said rum, brandy or spirits to be exposed to