

HOUSE.....No. 31.

Reported by a Select Committee, viz : Messrs. Perkins of Becket, Everett,
Dewey, Stedman, Knox.

The Committee, to whom was referred the Petition of William Vans, praying the Legislature so far to suspend the Statute of Limitation as to permit him to come into Court and maintain an action against Stephen Codman executor on the estate of John Codman, late of Boston, who died in May 1803, and administrator on the estate of Richard Codman, late of Boston, who died in January 1806, ask leave to Report a Statement of facts in as brief and lucid a manner as possible, thereby giving the House, at one view, all the information your Committee have been able to obtain on the subject to enable the members to judge of the expediency of adopting any measure in relation thereto, with greater wisdom than your Committee.

1st, Said Vans produced two obligations, signed by Richard Codman, dated at Paris, in the kingdom of France, in the year 1800; one for 8,415 francs rents per year, equal to 168,300 francs principal, the other for 100,000 francs, which sums, at five per cent. the rate of interest on said obligations, amount to near \$130,000.

2d, Vans also produced a document in French, which your Committee do not understand, but, which, from the certificate of those acquainted with the language, is said to be a judgment rendered in France, in the year A. D. 1804, condemning Richard and John Codman, as copartners, to pay said Vans 45,515 livres rents per year, of which there is no evidence that said judgment was ever paid, except 500 dollars, for which said Vans acknowledged that he gave a receipt, and agreed not to trouble the said Stephen Codman any further. Your Committee further find that John Codman did, by a writing by him signed John and Richard Codman, virtually acknowledge himself to be a copartner with Richard Codman. Said Vans says that he resided and lived in France, at the time of taking said obligations, and did continue there until the year 1809, when he came to America and found that his claim was barred by the Statute of Limitation, as informed by his Attorney. Said Vans did commence an action against said Codman, as executor and administrator on said estates, at Cambridge, in Middlesex county, at the December term 1829, and that said Codman, in his said capacity,

did plead the Statute of Limitation, and the said Vans thereby suffered himself to become nonsuit. Wherefore your Committee ask the decision of the House whether they shall be discharged or directed to make further report.

B. C. PERKINS, Chairman.

the said the State of Louisiana, and the said Vans
 they are, and shall be, to become a member. Where-
 fore your Committee ask the decision of the House
 whether they shall be discharged or directed to make
 further report.

H. C. PERKINS, Chairman.