

CHAPTER 72.

LIMITATION.

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SCHEDULE

CHAPTER 72.

LIMITATION.

To regulate the limitation of suits.

[10th December, 1952]

PART I.

PRELIMINARY.

1. This Ordinance may be cited as the, Limitation Short title.
Ordinance.

2. In this Ordinance, unless there is something repug- Interpretation.
nant in the subject or context—

“bill of exchange” includes also a *hoondee* and a cheque;

“bond” includes any instrument whereby a person obliges himself to pay money to another on condition that the obligation shall be void if a specified act is performed or is not performed, as the case may be;

“defendant” includes also any person from or through whom a defendant derives his liability to be sued;

“Government” means the Government of the Federation or of any State thereof;

“plaintiff” includes also any person from or through whom a plaintiff derives his right to sue;

“promissory note” means any instrument whereby the maker engages absolutely to pay a specified sum of money to another at a time therein limited, or on demand or at sight;

“suit” includes any action or other proceeding;

“trustee” does not include a mortgagee or chargee remaining in possession after the mortgage or charge has been satisfied, or a wrong-doer in possession without title.

Nothing shall be deemed to be done in “good faith” which is not done with due care and attention.

PART II.

LIMITATION OF SUITS.

3. Subject to sections 4 to 24, every suit instituted after the period of limitation prescribed therefor by the Schedule shall be dismissed: Dismissal of suits instituted after period of limitation.

Provided that limitation has been set up as a defence.

7 of 1952
2 of 1958.
F.L.N.
48 of 1964.

Am. Ord.
2/58].

Mod.
F.L.N.
48/64].

Proviso
where court
is closed
when period
expires.

Special
law of
limitation.

Legal
disability.

4. If the period of limitation prescribed for any **suit** expires on a day when the court is closed, the suit may be instituted on the day that the court re-opens.

5. When by any special law now or hereafter in force in *Sabah a period of limitation is especially prescribed for any suit, nothing herein contained shall affect or alter the period so prescribed.

6.—(1) If a person entitled to institute a suit is at the time from which the period of limitation is to be reckoned a minor or insane or an idiot, he may institute the suit within the same period after the disability has ceased as would otherwise have been allowed from the time prescribed therefor in the third column of the Schedule.

(2) When he is at the time from which the period of limitation is to be reckoned affected by two such disabilities or when before his disability has ceased he is affected by another disability, he may institute the suit or make the application within the same period after both disabilities have ceased as would otherwise have been allowed from the time so prescribed.

(3) When his disability continues up to his death his legal representative may institute the suit or make the application within the same period after the death as would otherwise have been allowed from the time so prescribed.

(4) When such representative is at the date of the death affected by any such disability the rules contained in subsections (1) and (2) shall apply.

(5) Nothing in this section shall be deemed to extend for more than three years from the cessation of the disability, or the death of the person affected thereby, the period within which any suit must be instituted.

Disability
of one
joint
creditor.

7.—(1) When one of several joint creditors or **claimants** is under **such** disability and when a discharge can be given without the concurrence of **such** person, time will run **against** them all.

(2) Where no such discharge can be given, time will not run as against any of them until one of them becomes capable of giving such discharge without the concurrence of the others.

*Throughout this Ordinance "Sabah" has been substituted for "the Colony" by virtue of Article 48(1) of the Constitution of the State of Sabah.

8.—(1) When once time has begun to run, no subsequent disability or inability to sue stops it. Continuous running of time.

(2) Where letters of administration to the estate of a creditor have been granted to his debtor, the running of the time prescribed for a suit to recover the debt shall be suspended while the administration continues.

9. Notwithstanding anything hereinbefore contained no suit against a person in whom property has become vested in trust for any specific purpose, or against his legal representatives or assigns, not being assigns for valuable consideration, for the purpose of following in his or their hands such property, shall be barred by any length of time. Suits against express trustees and their representatives.

[Mod.
F.L.N.
448/64].

10.—(1) Suits instituted in Sabah on contracts entered into outside Sabah are subject to the rules prescribed by this Ordinance. Suits on foreign contracts.

[Mod.
F.L.N.
448/64].

(2) No rule of limitation having effect in a country outside Sabah by virtue of any law in force in that country shall be a defence to a suit instituted in Sabah on a contract entered into outside Sabah, unless the rule has extinguished the contract and the parties were domiciled in such country during the period prescribed by such rule. Foreign limitation law.

PART III.

COMPUTATION OF PERIOD OF LIMITATION.

11. In computing the period of limitation prescribed for any suit, the day from which such period is to be reckoned shall be excluded. Exclusion of day on which right to sue accrues.

12. In computing any period of limitation prescribed by this Ordinance, the time during which the defendant has been absent out of Sabah shall be excluded from such computation, except any time during which service of a writ of summons or notice of a writ of summons to appear and answer in the suit can, during the absence of such defendant, be made in any mode prescribed by law. Exclusion of time of defendant's absence from Sabah.

13.—(1) In computing the period of limitation in respect of any suit to which section 3 of the Restriction of Civil Jurisdiction and Registration Ordinance, 1946, applied, the period commencing on the twenty-fourth day of December, 1941, and ending on the fifteenth day of June, 1949, shall be excluded. Exclusion of occupation period.

(2) In computing the period of limitation in respect of any suit other than a suit referred to in subsection (1), the period commencing on the twenty-fourth day of December, 1941, and ending on the first day of March, 1946, shall be excluded.

Exclusion of time of proceeding bona fide in court without jurisdiction.

14. In computing the period of limitation prescribed for any suit, the time during which the plaintiff has been prosecuting with due diligence another civil proceeding, whether in a court of first instance or in an appellate court, against the defendant shall be excluded where the proceeding is founded upon the same cause of action and is prosecuted in good faith in a court which, from defect of jurisdiction or other cause of a like nature, is unable to entertain it.

[Mod. F.L.N. 448/64].

Explanation 1.—In excluding the time during which a former suit was pending, the day on which that suit was instituted and the day on which the proceedings therein ended shall both be counted.

Explanation 2.—A plaintiff resisting an appeal presented on the ground of want of jurisdiction shall be deemed to be prosecuting a suit within the meaning of this section.

Exclusion of time during which commencement of suit is stayed by injunction or order.

15. In computing the period of limitation prescribed for any suit, the institution of which has been stayed by injunction or order, the time of the continuance of the injunction or order, the day on which it was issued or made and the day on which it was withdrawn shall be excluded.

Exclusion of time during which judgment debtor is attempting to set aside execution-sale.

16. In computing the period of limitation prescribed for a suit for possession by a purchaser at a sale in execution of a decree, the time during which the judgment debtor has been prosecuting a proceeding to set aside the sale shall be excluded.

Effect of death before right to sue accrues.

17.—(1) When a person who would, if he were living, have a right to institute a suit or make an application, dies before the right accrues, the period of limitation shall be computed from the time when there is a legal representative of the deceased capable of instituting or making such suit or application.

(2) When a person against whom, if he were living, a right to institute a suit or make an application would have accrued, dies before the right accrues, the period of limitation shall be computed from the time when there is a legal representative of the deceased against whom the plaintiff may institute or make such suit or application.

(3) Nothing in subsection (1) applies to suits for the possession of immovable property.

18. When any person having a right to institute a suit has by means of fraud been kept from the knowledge of such right or of the title on which it is founded, or where any document necessary to establish such right has been fraudulently concealed from him, the time limited for instituting a suit—

Effect of fraud.

(a) against the person guilty of the fraud or accessory thereto; or

(b) against any person claiming through him otherwise than in good faith and for a valuable consideration,

shall be computed from the time when the fraud first became known to the person injuriously affected thereby or, in the case of the concealed document, when he first had the means of producing it or compelling its production.

19.—(1) If before the expiration of the period prescribed for a suit in respect of any property or right an acknowledgment of liability in respect of such property or right has been made in writing signed by the party against whom such property or right is claimed or by some person through whom he derives title or liability, a new period of limitation, according to the nature of the original liability, shall be computed from the time when the acknowledgment was so signed.

Effect of acknowledgment in writing.

(2) When the writing containing the acknowledgment is undated, oral evidence may be given of the time when it was signed; but oral evidence of its contents shall not be received.

Explanation 1.—For the purpose of this section, an acknowledgment may be sufficient though it omits to specify the exact nature of the property or right or avers that the time for payment, delivery, performance or enjoyment has not yet come, or is accompanied by a refusal to pay, deliver, perform or permit to enjoy, or is coupled with a claim to a set-off, or is addressed to a person other than the person entitled to the property or right.

Explanation 2.—In this section “signed” means signed either personally or by an agent duly authorized in this behalf.

20.—(1) When interest on a debt or legacy is, before the expiration of the prescribed period, paid as such by the person liable to pay the debt or legacy or by his agent duly authorized in this behalf, or when part of the principal of a debt is before the expiration of the prescribed period paid

Effect of payment of interest as such. Effect of part payment of principal.

by the debtor or by his agent duly authorized in this behalf, a new period of limitation, according to the nature of the original liability, shall be computed from the time when the payment was made:

Provided that, in the case of part payment of the principal of a debt, the fact of the payment appears in the handwriting of the person making the same.

Effect of receipt of produce of mortgaged or charged land.

(2) Where mortgaged or charged land is in the possession of the mortgagee or chargee, the receipt of the produce of such land shall be deemed to be a payment for the purpose of this section.

One of several joint contractors, etc., not chargeable by reason of acknowledgment or payment made by another of them.

21. Nothing in sections 19 and 20 renders one of several joint contractors, partners, executors, mortgagees or chargees chargeable by reason only of a written acknowledgment signed or of a payment made by or by the agent of any other or others of them.

Effect of substituting or adding new plaintiff or defendant.

22. When after the institution of a suit, a new plaintiff or defendant is substituted or added, the suit shall as regards him be deemed to have been instituted when he was so made a party:

Proviso where original plaintiff dies.

Provided that when a plaintiff dies and the suit is continued by his legal representative, it shall as regards him be deemed to have been instituted when it was instituted by the deceased plaintiff:

Proviso where original defendant dies.

Provided further that when a defendant dies and the suit is continued against his legal representative, it shall as regards him be deemed to have been instituted against the deceased defendant.

Continuing breaches and wrongs.

23. In the case of a continuing breach of contract, and in the case of a continuing wrong independent of contract, a fresh period of limitation begins to run at every moment of the time during which the breach or the wrong, as the case may be, continues.

Suit for compensation for act not actionable without special damage.

24. In the case of a suit for compensation for an act which does not give rise to a cause of action unless some specific injury actually results therefrom, the period of limitation shall be computed from the time when the injury results.

25. All instruments shall for the purposes of this Ordinance be deemed to be made with reference to the Gregorian calendar.

Computation of time mentioned in instrument.

PART IV.

RIGHTS EXTINGUISHED.

26. At the determination of the period limited by this Ordinance to any person for instituting a suit to recover possession of immovable property the right and title of such person to the immovable property, for the recovery whereof such suit might have been instituted within such period, shall be extinguished.

Right of person out of possession extinguished.

SCHEDULE

(Sections 3 and 6(1))

Description of Suit	Period of Limitation	Time from which period begins to run
PART I.—ONE YEAR		
1. Upon a Statute, Act, Regulation or By-law, for a penalty or forfeiture	One year	When the penalty or forfeiture is incurred.
2. For the wages of a household servant, artisan or a labourer	One year	When the wages accrue due.
✓ 3. For the price of food or drink sold by the keeper of a hotel, tavern or lodging house ...	One year	When the food or drink is delivered.
4. For the price of lodging ...	One year	When the price becomes payable.
5. To set aside any of the following sales:—	One year	When the sale is confirmed, or would otherwise have become final and conclusive had no such suit been brought.
(a) Sale in execution of a decree of a Civil Court;		
(b) Sale in pursuance of the order of a Collector or other officer of revenue;		
(c) Sale for arrears of Government revenue, or for any demand recoverable as such arrears.		
6. Against Government to set aside any attachment, lease or transfer of immovable property, by the Revenue authorities for arrears of Government revenue	One year	When the attachment, lease or transfer is made.
7. Against Government to recover money paid under protest in satisfaction of a claim made by the Revenue authorities on account of arrears of revenue or on account of demands recoverable as such arrears ...	One year	When the payment is made.
8. For compensation for false imprisonment	One year	When the imprisonment ends.
9. [Item transferred to Part III as	item 94A by Ordinance 12 of 1958].	
10. For compensation for a malicious prosecution	One year	When the plaintiff is acquitted, or the prosecution is otherwise terminated.
11. For compensation for libel ...	One year	When the libel is published.
12. For compensation for slander	One year	When the words are spoken, or if the words are not actionable in themselves, when the special damage complained of results.
13. For compensation for loss of service occasioned by the seduction of the plaintiff's servant or daughter	One year	When the loss occurs.

<i>Description of Suit</i>	<i>Period of Limitation</i>	<i>Time from which period begins to run</i>
14. For compensation for inducing a person to break a contract with the plaintiff ...	One year	The date of the breach.
15. For compensation for an illegal, irregular or excessive distress ...	One year;	The date of the distress.
16. For compensation for wrongful seizure of movable property under legal process ...	One year	The date of the seizure. ✓

PART II.—TWO YEARS.

17. Against a carrier for compensation for losing or injuring goods ...	Two years	When the loss or injury occurs.
18. Against a carrier for compensation for delay in delivering goods ...	Two years	When the goods ought to have been delivered.
19. Against one who, having a right to use property for specific purposes, perverts it to other purposes ...	Two years	When the perversion first becomes known to the person injured thereby.
20. For compensation for any malfeasance, misfeasance or nonfeasance independent of contract and not herein specially provided for ...	Two years	When the malfeasance, misfeasance or nonfeasance takes place.

PART III.—THREE YEARS.

21. For the hire of animals, vehicles, boats or household furniture ...	Three years	When the hire becomes payable.
22. For the balance of money advanced in payment of goods to be delivered ...	Three years	When the goods ought to have been delivered.
23. For the price of goods sold and delivered, where no fixed period of credit is agreed upon ...	Three years	The date of the delivery of the goods. ✓
24. For the price of goods sold and delivered to be paid for after the expiry of a fixed period of credit ...	Three years	When the period of credit expires.
25. For the price of goods sold and delivered to be paid for by a bill of exchange, no such bill being given ...	Three years	When the period of the proposed bill elapses.
26. For the price of trees or growing crops sold by the plaintiff to the defendant, where no fixed period of credit is agreed upon ...	Three years	The date of the sale.
27. For the price for work done by the plaintiff for the defendant at his request, where no time has been fixed for payment ...	Three years	When the work is done. ○
28. For compensation for obstructing a way or a water course ...	Three years	The date of the obstruction.
29. For compensation for diverting a water course ...	Three years	The date of the diversion.
30. For compensation for trespass upon immovable property ...	Three years	The date of the trespass. ✓

<i>Description of Suit</i>	<i>Period of Limitation</i>	<i>Time from which period begins to run</i>
31. For compensation for infringing copyright or any other exclusive privilege	Three years	The date of the infringement.
32. To restrain waste	Three years	When the waste begins.
33. For compensation for injury caused by an injunction wrongfully obtained	Three years	When the injunction ceases.
34. To compel a refund by a person to whom an executor or administrator has paid a legacy or distributed assets ...	Three years	The date of the payment or distribution.
35. By a ward who has attained majority, to set aside a sale by his guardian	Three years	When the ward attains majority.
36. By any person bound by an order respecting the possession of property made by a Magistrate	Three years	The date of the final order in the case.
37. For specific movable property lost, or acquired by theft or dishonest misappropriation or conversion, or for compensation for wrongfully taking or detaining the same	Three years	When the person having the right to the possession of the property first learns in whose possession it is.
38. For other specific movable property or for compensation for wrongfully taking or injuring or wrongfully detaining the same	Three years	When the property is wrongfully taken or injured, or when the detainer's possession becomes unlawful.
39. For money payable for money lent	Three years	When the loan is made.
40. Like suit when the lender has given a cheque for the money	Three years	When the cheque is paid.
* 41. For money lent under an agreement that it shall be payable on demand	Three years	When the loan is made.
42. For money deposited under an agreement that it shall be payable on demand	Three years	When the demand is made.
43. For money payable to the plaintiff for money paid for the defendant	Three years	When the money is paid.
✓ 44. For money payable by the defendant to the plaintiff for money received by the defendant for the plaintiff's use ...	Three years	When the money is received.
→ 45. For money payable for interest upon money due from the defendant to the plaintiff ...	Three years	When the interest becomes due.
✓ 46. For money payable to the plaintiff for money found to be due from the defendant to the plaintiff on accounts stated between them	Three years	When the accounts are stated in writing signed by the defendant or his agent duly authorized in this behalf, unless where the debt is, by a simultaneous agreement in writing signed as aforesaid, made payable at a future time, and then when that time arrives.

<i>Description of Suit</i>	<i>Period of Limitation</i>	<i>Time from which period begins to run</i>
47. For compensation for breach of a promise to do anything at a specified time, or upon the happening of a specified contingency	Three years	When the time specified arrives or the contingency happens.
48. On a single bond, where a day is specified for payment ...	Three years	The day so specified.
49. On a single bond, where no such day is specified	Three years	The date of executing the bond.
50. On a bond subject to a condition	Three years	When the condition is broken.
51. On a bill of exchange or promissory note payable at a fixed time after date	Three years	When the bill or note falls due.
52. On a bill of exchange payable at sight, or after sight, but not at a fixed time	Three years	When the bill is presented.
53. On a bill of exchange accepted payable at a particular place ...	Three years	When the bill is presented at the place.
54. On a bill of exchange or promissory note payable at a fixed time after sight or after demand	Three years	When the fixed time expires.
55. On a bill of exchange or promissory note payable on demand, and not accompanied by any writing restraining or postponing the right to sue ...	Three years	The date of the bill or note.
56. On a promissory note or bond payable by instalments ...	Three years	The expiration of the first term of payment, as to the part then payable; and for the other parts, the expiration of the respective terms of payment.
57. On a promissory note or bond payable by instalments which provides that, if default be made in payment of one instalment, the whole shall be due	Three years	When the first default is made, unless where the payee or obligee waives the benefit of the provision, and then when fresh default is made in respect of which there is no such waiver.
58. On a promissory note given by the maker to a third person to be delivered to the payee after a certain event should happen	Three years	The date of the delivery to the payee.
59. On a dishonoured foreign bill where protest has been made and notice given	Three years	When the notice is given.
60. By the payee against the drawer of a bill of exchange which has been dishonoured by non-acceptance	Three years	The date of the refusal to accept.
61. By the acceptor of an accommodation bill against the drawer	Three years	When the acceptor pays the amount of the bill.
62. Suit on a bill of exchange, promissory note or bond not herein expressly provided for	Three years	When the bill, note or bond becomes payable.

<i>Description of Suit</i>	<i>Period of Limitation</i>	<i>Time from which period begins to run</i>
63. By a surety against the principal debtor	Three years	When the surety pays the creditor.
64. By a surety against a co-surety	Three years	When the surety pays anything in excess of his own share.
65. Upon any other contract to indemnify	Three years	When the plaintiff is actually damaged.
66. By an advocate for his costs of a suit or a particular business, there being no express agreement as to the time when such costs are to be paid ...	Three years	The date of the termination of the suit or business, or, where the solicitor properly discontinues the suit or business, the date of such discontinuance.
67. For the balance due on a mutual, open and current account, where there have been reciprocal demands between the parties	Three years	The close of the year in which the last item admitted or proved is entered in the account, such year to be computed as in the account.
68. On a policy of insurance when the sum assured is payable immediately after proof of the death or loss has been given to or received by the insurers ...	Three years	When proof of the death or loss is given or received to or by the insurers, whether by or from the plaintiff, or any other person.
69. By the assured to recover premia paid under a policy voidable at the election of the insurers	Three years	When the insurers elect to void the policy.
70. Against a factor for an account	Three years	When the account is, during the continuance of the agency, demanded and refused, or, where no such demand is made, when the agency terminates.
71. By a principal against his agent for movable property received by the latter and not accounted for	Three years	When the account is, during the continuance of the agency, demanded and refused, or where no such demand is made, when the agency terminates.
72. Other suits by principals against agents for neglect or misconduct	Three years	When the neglect or misconduct becomes known to the plaintiff.
73. To cancel or set aside an instrument not otherwise provided for	Three years	When the facts entitling the plaintiff to have the instrument cancelled or set aside become known to him.
74. To declare the forgery of an instrument issued or registered	Three years	When the issue or registration becomes known to the plaintiff.
75. To declare the forgery of an instrument attempted to be enforced against the plaintiff ...	Three years	The date of the attempt.
76. For property which the plaintiff has conveyed while insane ...	Three years	When the plaintiff is restored to sanity and has knowledge of the conveyance.

Description of Suit	Period of Limitation	Time from which period begins to run
77. To set aside a decree obtained by fraud, or for other relief on the ground of fraud	Three years	When the fraud becomes known to the party wronged.
78. For relief on the ground of mistake	Three years	When the mistake becomes known to the plaintiff.
79. For money paid upon an existing consideration which afterwards fails	Three years	The date of the failure.
80. To make good out of the general estate of a deceased trustee the loss occasioned by a breach of trust	Three years	The date of the trustee's death, or, if the loss has not then resulted, the date of the loss.
81. For contribution by a party who has paid the whole amount due under a joint decree, or by a sharer in a joint estate who has paid the whole amount of revenue due from himself and his co-sharers	Three years	The date of the plaintiff's advance in excess of his own share.
82. By a co-trustee to enforce against the estate of a deceased trustee a claim for contribution	Three years	When the right to contribution accrues.
83. For a seaman's wages	Three years	The end of the voyage during which the wages are earned.
84. For wages not otherwise expressly provided for by this Schedule	Three years	When the wages accrue due.
85. By a mortgagor or chargor after the mortgage or charge has been satisfied, to recover surplus collections received by the mortgagee or chargee	Three years	When the mortgagor or chargor re-enters on the mortgaged or charged property.
86. For an account and a share of the profits of a dissolved partnership	Three years	The date of the dissolution.
87. By a lessor for the value of trees cut down by his lessee contrary to the terms of the lease	Three years	When the trees are cut down.
88. For the profits of immovable property belonging to the plaintiff which have been wrongfully received by the defendant	Three years	When the profits are received, or where the plaintiff has been dispossessed by a decree afterwards set aside on appeal, when he recovers possession.
89. [Item transferred to Part IV as item 95A by Ordinance 12 of 1958]. 90. By a vendor of immovable property, to enforce his lien for unpaid purchase-money	Three years	The time fixed for completing the sale, or, where the title is accepted after the time fixed for completion, the date of the acceptance.
91. For a call by a company registered under any Ordinance	Three years	When the call is payable.
92. For specific performance of a contract	Three years	The date fixed for the performance, or, if no such date is fixed, when the plaintiff has notice that performance is refused.

Description of Suit	Period of Limitation	Time from which period begins to run
93. For the rescission of a contract	Three years	When the facts entitling the plaintiff to have the contract rescinded first become known to him.
94. For compensation for the breach of any contract, express or implied, not in writing and not herein specially provided for	Three years	When the contract is broken, or, where there are successive breaches, when the breach in respect of which the suit is instituted occurs, or, where the breach is continuing, when it ceases.
[Am. Ord. 12/58]. 94A. For compensation for injury to the person	Three years	When the injury is committed.

PART IV.—SIX YEARS.

95. For compensation for the breach of a contract in writing	Six years	When the period of limitation would begin to run against a suit brought on a similar contract not in writing.
[Am. Ord. 12/58]. 95A. For arrears of rent	Six years	When the arrears become due.
96. Upon a foreign judgment ...	Six years	The date of the judgment.
97. Suit for which no period of limitation is provided elsewhere in this Schedule	Six years	When the right to sue accrues.

For (bade) question to the text

PART V.—TWELVE YEARS.

98. Upon a judgment obtained in Sabah or a recognizance ...	Twelve years	The date of the judgment or recognizance.
99. For a legacy or for a share of a residue bequeathed by a testator, or for a distributive share of the property of an intestate	Twelve years	When the legacy or share becomes payable or deliverable.
100. To establish a periodically recurring right	Twelve years	When the plaintiff is first refused the enjoyment of the right.
101. To enforce payment of money charged upon immovable property	Twelve years	When the money sued for becomes due.
102. To recover movable property conveyed or bequeathed in trust, deposited or pawned and afterwards bought from the trustee, depository or pawnee for a valuable consideration ...	Twelve years	The date of the purchase.
103. To recover possession of immovable property conveyed or bequeathed in trust, or mortgaged or charged, and afterwards purchased from the trustee, mortgagee or chargee for a valuable consideration ...	Twelve years	The date of the purchase.
104. Suit instituted by a mortgagee or chargee, for possession of immovable property mortgaged or charged	Twelve years	When the mortgagor's or chargor's right to possession determines.

For change]

Description of Suit	Period of Limitation	Time from which period begins to run
105. By a purchaser at a private sale for possession of immovable property sold when the vendor was out of possession at the date of the sale	Twelve years	When the vendor is first entitled to possession.
106. Like suit by a purchaser at a sale in execution of a decree, when the judgment-debtor was out of possession at the date of the sale	Twelve years	When the judgment-debtor is first entitled to possession.
107. By a purchaser of land at a sale in execution of a decree for possession of the purchased land, when the judgment-debtor was in possession at the date of the sale	Twelve years	The date of the sale.
108. By a landlord to recover possession from a tenant	Twelve years	When the tenancy is determined.
109. By a remainder-man, a reversioner, other than a landlord, or a devisee, for possession of immovable property	Twelve years	When his estate falls into possession.
110. For possession of immovable property, when the plaintiff, while in possession of the property, has been dispossessed or has discontinued the possession	Twelve years	The date of the dis-possession or discontinuance.
111. Like suit, when the plaintiff has become entitled by reason of any forfeiture or breach of condition	Twelve years	When the forfeiture is incurred or the condition is broken.
112. For possession of immovable property or any interest therein not hereby otherwise specially provided for	Twelve years	When the possession of the defendant becomes adverse to the plaintiff.

PART VI.—THIRTY YEARS.

113. Against a depositee or pawnee to recover movable property deposited or pawned	Thirty years	The date of the deposit or pawn.
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PART VII.—SIXTY YEARS

114. By a mortgagee or chargee for fore-closure or sale	Sixty years	When the money secured by the mortgage or charge becomes due.
115. Against a mortgagee or chargee, to redeem or to recover possession of immovable property mortgaged or charged	Sixty years	When the right to redeem or to recover possession accrues.

Q. What about in Estate cases?
 which Plaintiff - present? deed?