

ducing every such Licence to the Clerk of the Crown and Pleas in this Province, the name of such person so licenced shall be inscribed on the roll of Attornies of the Court of King's Bench, and each and every person whose name shall be so inscribed shall, after having been admitted a member of the Law Society in manner herein after mentioned, be authorized to practice the profession of the Law, as fully to all intents and purposes as any Barrister and Attorney now practices the same in this Province.

II. *Provided always nevertheless,* That before any person shall apply to the Governor, Lieutenant Governor, or Person administering the Government of this Province, for such licence as aforesaid, such person shall apply to the Judges of His Majesty's Court of King's Bench, and shall procure from that Court a certificate, under the hand of the Chief Justice, or in his absence, of the senior Puisne Judge of the said Court, that such Court is satisfied of the ability and fitness of the party so applying to be admitted to practice as a Barrister and Attorney in this Province.

Before any person applies to the Governor, &c. such person shall procure a certificate from the Court of King's bench.

III. *Provided also, and be it further enacted* That from and after the enrollment of any such person or persons under the authority of this Act, he shall offer himself to the Law Society of this Province, and shall offer to subscribe and conform to the existing rules and regulations of the said Society, and such Society is hereby required to admit him a member of the same.

After enrollment of any person under this Act, he is to subscribe the rules of the Law Society, and the society to admit him a member.

IV. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful to and for the Secretary of the Governor, Lieutenant Governor, or Person administering the Government of this Province to demand and receive the sum of two pounds, on the delivery of each and every such licence as aforesaid, and for the said Clerk of the Crown and Pleas to demand and receive the sum of thirteen shillings and four pence, for inscribing the name of each and every person so licenced upon the said roll.

Fees to the Governor's Secretary & Clerk of the Crown.

C H A P. IV.

An Act to declare the Rights of Certain GRANTEES of WASTE LANDS of the CROWN.

[5th March, 1803.]

WHEREAS several grants of Waste Lands of the Crown did, previous to the first day of July, in the year of Our Lord one thousand eight hundred, pass the Great Seal of this Province, to two or more persons and their heirs; and whereas it was His Majesty's gracious intention, and also the understanding of the Grantees, that such persons should hold their Lands under such grants as tenants in common; but such grants were erroneously so drawn and issued as to convey to the Grantees estates in joint tenancy; and whereas the rights of many persons may be thereby affected, and the gracious intention of His Majesty frustrated; Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the

Recital.

the

Grants to two or more persons and their heirs to be construed to operate as giving estates in common unless expressed in such grant to be to the use of such grantees as joint tenants.

the Legislative Council and Assembly of the Province of Upper-Canada, constituted and assembled by virtue of, and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That all Grants of the Waste Lands of the Crown, which, previous to the said first day of July, in the year of our Lord one thousand eight hundred, passed the Great Seal of this Province to two or more persons and their heirs, shall, from and after the day of the date of such Grants respectively, be taken and construed in all Courts of Law and Equity, to enure and operate as giving to the several Grantees estates in common, and not in joint tenancy, unless it shall be distinctly expressed or declared in the said grant, that such Lands were to be held by, or to the use of such Grantees as joint tenants, any law to the contrary notwithstanding.

The rights of purchasers, mortgagees, &c. not to be impeached.

II. *Provided always nevertheless, and it is hereby declared,* That nothing herein contained shall extend, or be construed to extend to impeach, or in any manner to affect the rights of any bona fide purchaser, mortgagee, or other incumbrancer, for valuable consideration; provided such purchasers, mortgagees, or other incumbrancers can shew their right, claim, or title to have vested previous to the passing of this Act.

C H A P. V.

An Act to enable MARRIED WOMEN having REAL ESTATE, more conveniently to ALIEN and CONVEY the same.

[5th March, 1803.]

Recital.

WHEREAS by the Laws of England, Married Women can only alien and convey their real estates by fine, or other matter of record, and there being as yet, no express provision made for levying fines in this Province, it has become expedient that some mode of conveyance should be by Law adopted, to enable such Married Women to alien theirsaid real estates, Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That from and after the first day of April, in this present year one thousand eight hundred and three, it shall and may be lawful to and for any Married Woman having real estate in this Province, and being above the age of twenty-one years, with the knowledge and consent

It shall be lawful for any married woman having real estate, by deed, jointly with her husband, to alien, &c.