

## CAP. XIV.

## An ACT to provide an Easier Method than is now used for Barring Estates Tail in Lands.

**W**HEREAS the method now in use for Barring Estates Tail in Lands and Hereditaments by common Recovery covers suffered at common Law, is liable in this Province to many objections :

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That whenever, after the publication of this Act, any person, being the tenant in fee tail of any lands, tenements or hereditaments, within this Province, and of full age, and entitled, by virtue of the Laws now in force in England, if such Lands were situate in that Kingdom, to suffer a Common Recovery, of such Lands, shall be desirous of Barring the Estates Tail therein, such Tenant in Tail shall personally appear before the Justices of the Supreme Court of Judicature of this Province on some day in term time, in the County where the lands, tenements, or hereditaments, intended to be conveyed, be situate, and then and there shall cause the said Court to be moved for leave to acknowledge the execution of any Indentures of Lease and Release, whereby the lands, tenements and hereditaments, held in Fee Tail, shall be granted and conveyed to any person or persons capable by Law of holding lands in this Province, for any uses, intents and purposes, in such Indentures to be expressed ; and also for a rule of the said Court that such Indentures be enrolled of record therein, for the purpose of Barring the Estates Tail in such lands ; and shall also then and there exhibit to the said Justices the said Indentures, and prove the Deed or Instrument whereby such Estates Tail were created ; and that, by force of such gift, he, the party applying as aforesaid, is Tenant in Tail, and entitled as aforesaid to suffer a Common Recovery of the Lands granted in the Indentures so intended to be acknowledged ; whereupon the said Court shall take the acknowledgment by the said Tenant in Tail of the due and voluntary execution of the said Indentures, and cause an entry of such acknowledgment to be made by the proper officer : and shall make a Rule of the said Court, thereby ordering, that, unless good and sufficient cause to the contrary be shewn before the last day of the Term then next ensuing, the said Indentures, so acknowledged, shall be enrolled of Record of the said Court, for the purpose of Barring all Estates Tail in the lands and tenements in the said Indentures mentioned ; and further, shall direct a copy of such Rule, and a Notice of the application for the same, and for all persons interested in the said lands held in Tail, to appear in the said Court, and to shew cause, if any they have against the said Rule, before the same shall expire, to be inserted in the Newspaper called the Royal Gazette, at Halifax, continually from the date of the said Rule until the time for shewing cause against it shall be elapsed.

II. *And be it further enacted,* That if sufficient cause against enrolling the said Indentures for the purpose of Barring such Estates Tail be not shewn to the said Court before the last day of the Term next ensuing that in which the Rule shall be granted, the same on that day, upon proof being given of the insertion of the notice aforesaid in the said Newspaper, shall be made absolute, and the same Indentures, and all the proceedings relating thereto, shall be enrolled of Record of the said Court, after a docquet of the judgment for such enrolment shall have been signed in the same manner as the docquets of other judgments of the said Court in civil cases.

III. *And be it further enacted,* That such Indentures so enrolled as aforesaid, shall, from the time

Acknowledging  
Indentures of  
Lease and Re-  
lease.

Record.

Rule of Su-  
preme Court.

Notice of Rule.

If objection is  
Record.

Rule of Record  
made absolute.

time of their enrolment, be sufficient and effectual in Law to Bar all Estates Tail in the lands, tenements and hereditaments, by the said Indentures granted and conveyed, with their appurtenances, and all right and title of the Tenant or Tenants in Tail, and of their Issue in Tail, and of all others claiming under and by force of the original gift or grant which created such Estates Tail in and to the same lands, tenements and hereditaments; and all reversions and remainders expectant upon the determination of such Estates Tail; and to pass and to vest the said lands, tenements and hereditaments, in such Indentures contained, with their appurtenances, to and for such estates, uses and purposes, as shall be limited, expressed and declared, therein, as fully and effectually as if the party by whom such Indenture shall be acknowledged were seized of an Estate in fee simple at the time of making such acknowledgment, or had suffered a common recovery in His Majesty's Court of Common Pleas at Westminster, in England, for the same lands within its jurisdiction. *Provided nevertheless*, That the same Indentures be also duly registered in the Registry of Deeds in the County or District wherein the lands thereby conveyed are situate.

Barring Estates Tail.

Proviso.

## CAP. XV.

An ACT to continue, alter and amend, the several Acts of the General Assembly of this Province, now in force, relating to a Militia.

Act 48th Geo. III. **B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, made in the forty-eighth year of His Majesty's Reign, entitled, An Act to provide for the greater security of this Province by a better regulation of the Militia, and to repeal the Militia Laws now in force, and the several Acts of the General Assembly, to alter and amend the same, be, and they are, except so far as the same are hereby altered and amended, continued until the thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Sixteen, and from thence to the end of the next Session of the General Assembly.

Continued to 31st March 1816.

*And whereas it is not expedient in a time of Peace to have Six Meetings of the Militia by Companies, and two by Battalions, in each Year :*

Annual number of Militia meetings.

II. *Be it therefore enacted*, That, instead of Six Meetings, by Companies, in each year, there shall be two Company Meetings, and two Battalion Meetings, in each and every year, and no more, any thing in the said recited Acts to the contrary notwithstanding.

Justices of the Peace exempted from Militia Duty.

III. *And be it further enacted*, That all and every of his Majesty's Justices of the Peace in this Province, not being Militia Officers, be exempted from the provisions of the several Acts of the General Assembly relating to the Militia, in the same manner as if they had been comprehended with the several persons excepted in the tenth section of the Act passed in the fifty-third year of his present Majesty's Reign, to alter, amend and continue the several Acts of the General Assembly of this Province, then in force, relating to a Militia.