

always, that such Court may, in its discretion, admit such prisoner again to bail for his appearance during the said sitting of the said Court when called for, or at any adjournment thereof, or upon any particular day or time during such sitting or adjournment, or any subsequent Court or Sitting, as to such Court may seem meet.

Recognizance not to be deemed fulfilled upon arraignment or conviction, unless the person be duly rendered as before enacted.

7. The Recognizance for the appearance of any person to answer to any charge of felony or misdemeanor shall not be deemed fulfilled or discharged upon the arraignment of such person upon any indictment or information therefor, nor upon his conviction of the offence therein charged, but shall be held to continue good, valid and effectual for the appearance of such person for trial or sentence, as the case may be, unless he shall be duly rendered in discharge of the Recognizance as hereinbefore enacted; provided always, that nothing herein contained shall be held or construed to prevent the Court before which such arraignment or trial shall be had from committing such person to the gaol upon such his arraignment or trial notwithstanding such Recognizance, or from requiring new or additional sureties for his appearance for trial or sentence, as the case may be; provided also, that when such commitment is duly made, it shall operate as a discharge from further liability on such Recognizance.

Commencement and limitation of Act.

8. This Act shall take effect from the passing thereof as to all Recognizances already made or hereafter to be made, and shall continue in force until the first day of May in the year of our Lord one thousand eight hundred and sixty.

CAP. XXII.

An Act relating to the Registry of Decrees of Partition made in the Court of Chancery.

Passed 30th April 1851.

Preamble.

‘ WHEREAS the Registry of Decrees of Partition made in the Court of Chancery in extenso is attended with great and unnecessary expense;’

Memorial of any decree of partition in Chancery may be registered in the County Register in lieu of the decree in extenso.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act a Memorial of any Decree of Partition made in the Court of Chancery may be registered in the Office of Register of Deeds for any County, in the manner provided for registering the Decrees of the said Court in and by the fourth section of an Act made and passed in the second year of Her present Majesty, intituled *An Act relating to the Partition of Lands, Tenements and Hereditaments, held in Co-parcenary, Joint Tenancy, and Tenancy in Common*, in lieu of the Decree in extenso; provided always, that nothing in this Act contained shall be considered to prohibit the Registry of any Decree in Chancery in full, as provided in and by the said recited Act; and that the Memorial so to be registered shall be in the form A in the Schedule to this Act annexed.

Certified copy of the memorial from the Register to be evidence.

II. And be it enacted, That a copy from the County Registry of such Memorial, duly certified by the Register of Deeds, shall be admitted in evidence in such cases, and under such rules and restrictions as a copy of a registered Deed taken from such County Register would be admitted.

SCHEDULE A.

New Brunswick, in Chancery.

Form of memorial for Registry.

Cause, { A. B., Complainant,
and
C. D., Defendant.

These are to certify, that in and by a Decree of this Honorable Court, bearing date the — day of —, A. D. —, the following partition of lands, mentioned in

in the pleadings of this cause, was ordered and decreed, viz: [*here insert the several portions, and the names of the respective parties in full, as well as their several tenures.*].—Given under the Seal of this Court this — day of —, A. D. —

[L. S.]

D. L. R., Register.

CAP. XXIII.

An Act to authorize the confirmation of Certificates of Bankruptcy in certain cases.

Passed 30th April 1851.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That every Certificate of Conformity, whether absolute or conditional, ordered or made under and by virtue of the Acts relating to Bankruptcy, or any of them, heretofore in force in this Province, may be confirmed, or the confirmation of the same may be applied for agreeably to the provisions of the said Acts, or any of them, within twelve calendar months after the passing of this Act, in the same manner in every respect as if the said Acts had not been repealed, any Law to the contrary notwithstanding; provided always, that nothing in this Act contained shall extend or be construed to extend to revive the said Acts, or any of them, except for the purposes in this Act provided.

Certificates of conformity under the Bankrupt Acts may be confirmed or the confirmation applied for within twelve months from the passing of this Act.

CAP. XXIV.

An Act to secure to Married Women Real and Personal Property held in their own right.

Passed 30th April 1851.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the real and personal Property belonging to a Woman before or accruing in any way after marriage, except as hereinafter excepted, shall be owned as her separate property, and shall be exempt from seizure, execution, attachment, detention, or responsibility in any way for the debts or liabilities of her husband, and shall not be conveyed, mortgaged, encumbered, or disposed of without her full consent and concurrence, testified by her being a party to the instrument conveying, mortgaging, encumbering or disposing of the same, and duly acknowledged, as provided in and by the Act of Assembly regulating the acknowledgements of feme coverts; provided always, that her said separate property shall be liable for her own debts, contracted before marriage, and for judgments recovered against her husband for her torts.

Property acquired by a Woman before or after marriage to be exempted from liability for the debts of her husband and inalienable except by her being a party to the deed.

II. Be it enacted, That the exemption hereinbefore provided shall not be held to extend to any property received by any married woman from her husband during coverture.

Property received from her husband during coverture not exempted.

III. Be it enacted, That in case of desertion or abandonment by her husband, it shall and may be lawful for any married woman, in her own name, and for her own use, to sue for, recover and receive from any person or persons indebted or liable to her, in her separate capacity, for debts due and owing to her, or for damages for injuries to herself or her separate property, such debt, debts or damages, or withholding from her any property, real or personal, being her separate property, and no receipt, discharge, deed, release, or commutation thereof, given or made by her said husband after such desertion or abandonment, shall be valid or effectual to bar her said claim; and in any suit so brought, said married woman, and all her separate property, shall be held liable for all costs of suit, as in cases of the like nature brought by other parties in the several Courts of Law in this Province.

In cases of desertion a married woman may sue for debts, &c.