

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.*

**B**E 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calendar months after the passing of this Act, in the same manner in every respect as if the said Acts had not been repealed, any Law to the contrary notwithstanding; provided always, that nothing in this Act contained shall extend or be construed to extend to revive the said Acts,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 covert; 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.

Act not to affect right of dower, or right of the husband otherwise than as is expressed.

Property accumulated by a married woman during desertion to be at her sole disposal.

IV. Be it enacted, That nothing in this Act contained shall be held to affect the right of dower of any married woman in the property of her said husband, or the right of any husband in the property of his said wife, otherwise than as herein expressly provided.

V. Be it enacted, That when any married woman shall be deserted by her husband, or compelled to support herself, and she shall, under such circumstances, accumulate property by her own labour and exertions, the same shall vest absolutely in her, and shall neither be liable to the debts nor subject to the control or interference of her said husband, but shall be at her own sole disposal, free and clear of her said husband.

### CAP. XXV.

An Act relating to Grand Juries in this Province.

*Passed 30th April 1851.*

Preamble.

‘ **W**HEREAS it is deemed advisable to vest the nomination of the Foreman of Grand Juries in the members of the Grand Jury ;’

Grand Juries after being called over in Court to retire and nominate their Foreman.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, upon the meeting of any Grand Jury summoned to attend any Court in this Province, and upon their being called over in open Court, under the direction of the presiding Justice, the said members of the said Grand Jury shall retire to their jury room, under the charge of the Sheriff or his Deputy, and shall then and there by a majority of votes of those present, nominate one of their number to be their Foreman; and upon such nomination the said Sheriff or his Deputy shall declare in open Court the name of the person so nominated, who shall thereupon be appointed by the Court to be the Foreman of such Jury, and shall be duly sworn as such; provided always, that in case of an equal division of the Jury upon such nomination, the Sheriff or his Deputy shall have a casting vote; and in case no such nomination shall be made and declared as aforesaid within one hour from the time of the opening of the Court, the Foreman shall be appointed by the Court as heretofore accustomed.

On an equal division Sheriff to have the casting vote.

Court to appoint when Jury fails to do so within one hour.

### CAP. XXVI.

An Act to revive and continue an Act to provide for the better payment of Petit Jurors attending the several Courts of Record in the Province.

*Passed 30th April 1851.*

Act 11 V. c. 16, revived and continued till 1st May 1860.

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the eleventh year of the Reign of Her present Majesty, intituled *An Act to provide for the better payment of Petit Jurors attending the several Courts of Record in this Province*, be and the same is hereby revived and declared to be in full force, and shall continue in operation until the first day of May which will be in the year of our Lord one thousand eight hundred and sixty.

### CAP. XXVII.

An Act to provide for the transportation of Newspapers and Tracts through this Province without any imposition of Postage.

*Passed 30th April 1851.*

Preamble.

‘ **W**HEREAS the free and unrestricted diffusion of knowledge is an object of the first importance, and should receive every possible encouragement from the Legislature of this Province ;’

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