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Charlottetown, Prince Edward Island, Wednesday, August 28, 1867.

LAWS OF PRINCE EDWARD ISLAND.

An Act to diminish the delay and expense of proceedings in the Court of Chancery in this Island.

[Passed May 17, 1867.]

WHEREAS proceedings in the Court of Chancery in this Island are sometimes attended with delay and expense which it is expedient to diminish:—

I. Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, that it shall be lawful for persons interested, or claiming to be interested, in any question cognizable in the said Court, as to the construction of any Act of Parliament, Will, Deed or other Instrument, in writing, or any article, clause, matter or thing therein contained, or as to the title, or evidence of title, to any real or personal estate contracted to be sold or otherwise to be dealt with, or as to the parties to, or the form of, any deed or instrument for carrying such contract into effect, or as to any other matter falling within the original jurisdiction of the said Court as a Court of Equity, or made subject to the jurisdiction or authority of the said Court by any statute, and including among such persons all lunatics, married women and infants, in the manner and under the restrictions hereinafter contained, to concur in stating such question in the form of a special case for the opinion of the said Court; and it shall also be lawful for all executors, administrators and justices to concur in such case.

II. The Committee of the estate of any lunatic interested, or claiming to be interested, in any such question as aforesaid, may, after

having been authorized in that behalf by the Chancellor or Master of the Rolls of this Island, concur in such case in his own name and in the name and on the behalf of the lunatic.

III. A husband interested, or claiming to be interested, in right of his wife, in any such question as aforesaid may concur, in such case, in his own name and in the name of his wife, where the wife has no claim to any interest distinct from her husband, and that a married woman having or claiming any interest, in any such question as aforesaid, distinct from her husband may in her own right concur in such case, provided that her husband also concurs therein.

IV. The guardian of any infant interested, or claiming to be interested, in any such question as aforesaid may concur, in such case, in the name and on the behalf of the infant, unless such guardian has an interest in such question adverse to the interest of the infant therein.

V. It shall be lawful for the said Court, by order to be made in the matter of any lunatic not found such by inquisition or by such other mode as is directed by any statute of this Island, or in the matter of any infant, upon the application of any person on behalf of such lunatic, or upon the application of such infant, by motion or petition to appoint any person, shown by affidavit to be a fit person and to have no interest adverse to the interest of the lunatic or infant, to be the special guardian of such lunatic or infant, for the purpose of concurring in such case in the name and on behalf of the lunatic or infant, and any such person so appointed may lawfully so concur, providing always that it shall be lawful for the said