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LAWS OF PRINCE EDWARD ISLAND.

CAP. XIV.

An Act to amend the Law of Real Property.

[Passed April 3, 1865.]

BE it enacted by the Lieutenant Governor, Council and Assembly, as follows :

I. That from and after the passing of this Act, all corporeal tenements and hereditaments, shall, as regards the conveyance of the immediate freehold thereof, be deemed to lie in grant as well as in livery.

II. A feoffment made after the passing of this Act, shall be void at law, unless evidenced by deed; and that a partition and an exchange of any tenements or hereditaments, not being copyhold, and a lease required by law, to be in writing, of any tenements or hereditaments, shall also be void at law unless made by deed.

III. A feoffment made after the passing of this Act, shall not have any tortions operation, and that an exchange or a partition of any tenements or hereditaments made by deed, executed after the passing of this Act, shall not imply any condition in law; and that the word "give" or the word "grant" in a deed, shall not imply any covenant in law, in respect of any tenements; except so far as the word "give" or the word "grant," may, by force of any Act of Parliament, imply a Covenant.

IV. Under an indenture executed after the passing of this Act, an immediate estate or interest in any tenements or hereditaments; and the benefit of a condition or covenant, respecting any tenements or hereditaments may be taken, although the taker thereof be not named a party to the same indenture; also, that a deed executed after the passing of this Act, purporting to be an Indenture, shall have the effect of an indenture, although not actually indented.

V. After the passing of this, a contingent, an executory and a future interest, and a possibility, coupled with an interest in any tenements or hereditaments of any tenure, whether the object of the gift, or limitation of such interest, or possibility, be, or be not ascertained, also a right of entry, whether immediate or future, and whether vested or contingent, into or upon, any tenements or hereditaments within this Island, of any tenure, may be disposed of by deed; but that no such disposition shall by force only of this Act, defeat or enlarge an estate tail.

VI. A contingent remainder, existing at any time after the thirty-first day of December, one thousand eight hundred and sixty-four, shall be, and if created before the passing of this Act, shall be deemed to have been capable of taking effect, notwithstanding the determination by forfeiture, surrender or merger, of any preceding estate of freehold, in the same manner in all respects as if such determination had not happened.

VII. When the reversion expectant on a lease made either before or after the passing of this Act, of any tenements or hereditaments of any tenure, shall, after the passing of this Act, be surrendered, or merge the estate which shall for the time being confer as against the tenant under the same lease, the next vested right to the tenements or hereditaments, shall to the extent, and for the purpose of preserving such incidents to and obligations on the same reversion as but for the surrender or merger thereof would have subsisted, be deemed the reversion expectant on the same lease.

CAP. XV,

An Act to authorize the appointment of Hog Reeves in certain Districts in this Island, and to prevent the going at large of Swine within the same.

[Passed April 3, 1865.]

BE it enacted by the Lieutenant Governor, Council and Assembly, that when a majority of the inhabitants, resident householders of any school district within this Island, shall make application in writing to the Commissioner of Highways for the District wherein they reside, stating their desire or request that Hog Reeves may be appointed for said district, it shall and may be lawful for the said Commissioner and he is hereby required forthwith, and annually thereafter, to appoint two fit and proper persons to act as Hog Reeves, for the space of one year, from the date of their appointment, within the limits of such school district, as at present defined and registered in the book kept by the Secretary of the Board of Education, for the purpose of registering the school districts in this Island.

II. It shall be the duty of such persons so appointed, and they are hereby required to seize and take up within said district, all Hogs or Swine going at large therein, beyond the premises or enclosures of the owner or owners thereof; and such Hog Reeves,