

the issue in tail, who can, could, or might claim, as heir of the body or bodies of any of the parties thereto, and also to bar those in reversion or remainder, who can, could, or might claim in default of issue of the body or bodies of any of the parties to such recoveries, in the same manner as if such recoveries had been legally and formally suffered and executed, notwithstanding the tenant to the writ in any such recovery was not tenant of the freehold at the time of judgment rendered, or any other defect in drawing, suffering or executing, any of the said recoveries; provided, that some one or more of the parties to such recovery, at the time of such judgment, was actual tenant of the freehold in the manors, lands, tenements, or hereditaments recovered, and the persons, or some of them joining in such recovery, had a sufficient estate and power to suffer the same.

Certain conveyances to be good, &c.

SEC. 3. *And be it enacted*, That where any person or persons heretofore gaining an estate in fee simple, or who shall hereafter gain an estate in fee simple, in any lands, tenements or hereditaments, within this province, by or under any common recovery suffered, or hereafter to be suffered, hath or have conveyed away, or shall hereafter convey away, such lands, tenements or hereditaments, before the execution of such recoveries, or before any entry made therein by the recoveror, such conveyances shall be as good and available to bar the vendors and their heirs, and all persons claiming by, from or under them, as if the said recoveries had been executed, or the recoverors therein had entered into the said lands, tenements or hereditaments, before such conveyance or conveyances thereof made, any law to the contrary thereof notwithstanding.

CHAPTER 25.

AN ACT to oblige infected ships and other vessels coming into this province to perform quarantine.

Every section of this law is in conflict with the authority subsequently transferred by the constitution of the United States to the federal government to 'regulate commerce,' which power she has exercised over the very subject of this act, and the officers, charged with the execution of this law, are not known now to the constitution of this state.

The 33d sec. of our state constitution gives to the governor, the authority to order any diseased vessel, to perform quarantine. By 1793, ch. 34, this power is to be exercised under such regulations as the governor may think advisable.

MAY, 1768.—CHAPTER 4.

AN ACT for the preservation of the breed of Fish.

This act and all others treating on the like subjects are cast under the subdivision, of 'general public law,' as they are mixed up most generally, with public and local enactments.