

tended by 32 Hen. 8, Ch. 32, to joint tenants and tenants in common, for life or years. See Harris' Entries, 2d vol. 710 to 713. This statute is mentioned in the letter from S. Chase, which has been referred to.

32 Hen. 8.—A. D. 1540.

CHAP. 9. The bill of bracery and buying of titles.

I have found but one case of a prosecution under this statute; this was an indictment in 1718, against E. B. for that whereas by a statute made at a parliament held at Westminster, in the 32d year of Henry 8, entitled, the bill of bracery or buying of titles, among other things it was enacted, &c. Notwithstanding the said E. B. knowing the said act to be in full force, did agree to purchase of —, — acres, &c. knowing the said — not to have been in possession of the said land or the reversion one whole year before the said sale, against the peace, and the form of the said act of parliament. Verdict, "not guilty." This statute is mentioned in the letter from S. Chase, which has been referred to.

CHAP. 28. Lessees to enjoy the farm against the tenants in tail. (Part.)

This statute, which is called "the enabling statute," is presumed to have been in force in the province, and to remain so, although there may not be so many occasions to resort to it as there are in England. The 6th section declaring, that the husband's *only* act of the wife's land shall not prejudice her or her heirs, is explained by other statutes. As to the other parts, see 2 Bl. Com. 172 and 319; 3 Bac. Abt. title Leases, C. 2, and D; Wood's Institutes 267; and Espinasse 296 and 431; but it is not in force as to leases by ecclesiastical persons.

CHAP. 30. Misleadings.—Jeofailes. (Part.)

See the note on 14 Edw. 3, Ch. 6. This statute provides, that after an issue tried, there shall be judgment given, notwithstanding any jeofail or misleading; but the 2d section, declaring when an attorney shall enter his warrant in court, is considered not to have been used in the province.

CHAP. 32. Joint tenants for life or years.

See the notes on 31 Hen. 8, Ch. 1. This statute is mentioned in the letter from S. Chase, which has been referred to.

CHAP. 33. An act that wrongful disseisin is no descent at law.

See 3 Bl. Com. 177.

CHAP. 34. Concerning grantees of reversions to take advantage of the conditions to be performed by the lessees.

This statute is known to have extended to the province, and to have remained in force in the state; and it is considered proper to be incorporated, &c. This statute is mentioned in the letter from S. Chase, which has been referred to.

CHAP. 37. For recovery of arrearages of rents by executors of tenant in fee-simple.

See Espinasse 187 and 358. The testamentary law, (Ch. 8, S. 5,) empowers the executors or administrators to commence any personal action, (except actions of slander, &c.) which the deceased