

ed to be done, or any neglect or malpractice shall henceforth lie on the parties disputing the same, any law, usage or custom to the contrary notwithstanding, and such deed shall be registered before any action shall be commenced therein, in any Court within this Island.

VIII. No affidavit of any appraisement of any property, or any other affidavit now or hereafter to be made in relation to any proceedings to the sale of lands under any execution, shall be void by reason of no place being mentioned in the jurat thereof, or for any formal defect in such affidavit.

IX. From and after the passing of this act, when any postponement of any sale is made by the Sheriff, such sale shall not take place within three weeks from the time from which such postponement takes place.

X. When any execution is issued against the lands of any defendant against whom judgment has been entered up, upon a warrant of Attorney, under the 8th section of the 24th Victoria, Cap. 5, the Prothonotary shall endorse upon the said execution, when requested by the party issuing the same so to do, the words and figures following, that is to say "Under the 8th section 24th Victoria, Cap. 5," and which said endorsement shall be notice to the Sheriff that the time for the advertisement of such sale shall be according to the requirements of the 8th section of the act passed in the 24th year of the reign of Her present Majesty Queen Victoria, Chapter 5, intituled "An Act in amendment of, and in addition to, the acts relating to judgments entered of record in the Supreme Court of Judicature."

XI. This act shall be held to apply to the sale of any leasehold interest in land, provided that nothing herein contained shall be held to require the performance of anything not now required to be performed in the levying, execution upon, and selling leasehold estate, and in all sales of leasehold estate, the Schedules to this act shall be varied to meet the requirements of the same.

XII. Nothing herein contained shall be held to apply to, alter, vary, or in anywise affect the statutory provisions of any sales of land under the act intituled "An Act for levying further an assessment on all lands in this Colony, and for the encouragement of education," and all other acts in amendment thereof, or of any proceedings had or to be had hereunder.

## SCHEDULE (A.)

To all to whom these presents shall come, I (E. F.) of in Prince Edward Island (High Sheriff) or (late High Sheriff) of County, Greeting.

Whereas judgment was entered of Record in Her Majesty's Supreme Court of Judicature as of term, in the year of our Lord one thousand eight hundred and wherein (A. B.) was plaintiff, and (C. D.) was defendant, for the sum of pounds, debt, and pounds, costs, or ( pounds damages, as the case may be), and whereas the said (C. D.) having died, the said Court did direct that execution would issue against his lands and tenements, and whereas Her Majesty's writ of was afterwards issued upon the said judgment under the 8th section 24th Victoria, Cap. 5, whereby I, the said (E. F.) as such Sheriff, as aforesaid, was commanded that of the goods and chattels, lands and tenements, of the said (C. D.) in my bailiwick, I should cause to be paid and satisfied unto the said (A. B.) the said sum of pounds and pounds costs, and which said execution was marked (here insert levy) and whereas by virtue of the said writ, and of my said office as such Sheriff as aforesaid, and of all powers and authorities in anywise in that behalf enabling me, I, the said (E. F.) as such Sheriff as aforesaid, having given the notice of sale required by law, did on the day of in the year of our Lord one thousand eight hundred and sell and dispose of the land and premises hereinafter described, to one (G. H.) he appearing to be the best and highest bidder. Now, know ye, that I, the said (E. F.), by virtue of my said office as such Sheriff, and by virtue of the aforesaid execution, and of all acts of the General Assembly of the said Island, and all other powers and authorities in anywise in that behalf enabling me, and in consideration of the sum of pounds, paid by the said (G. H.) the receipt whereof is hereby acknowledged, have granted, bargained, sold and assigned, and by these presents do grant, bargain, sell and assign unto the said (G. H.), his heirs, executors, administrators and assigns, all the estate, right, title and interest whatsoever, both at law and in equity, of the said (C. D.) in and to (here insert description), to have and to hold the same unto the said (G. H.) his heirs and assigns, to the only proper use and behoof of the said (G. H.), his heirs and assigns forever, (or to have and to hold the same unto the said (G. H.) his executors, administrators and assigns for all the rest residue and remainder of a term of years yet to come of him the said (C. D.), in and to the said piece of land, under and by virtue of a certain indenture of lease, made between (J. K.) of the one part, and one (L. M.) of the other part, of which the said (C. D.) is now the assignee.) In witness whereof, I, the said (E. F.) have hereunto set my hand, and affixed my seal of office this day of A. D. 186 or, in witness whereof, I, the said (E. F.) by (G. L.) my Deputy for that purpose lawfully authorized have hereunto my hand set and affixed my seal of office this day of A. D. 186.

Signed, sealed and delivered in the presence of

## SCHEDULE (B.)

Appraisement of real estate:  
between A. B. Plaintiff.

vs  
C. D. Defendant.

(Or against the lands and tenements of C. D. deceased) as the case may be.

We, E. F. of in in County in Prince Edward Island, and G. H. of the same place make oath and say that we are acquainted with the piece and parcel of land pointed out to us as the property of C. D. above named, and that such land is worth the sum of

Sworn to before me at in County this day of A. D. 186

J. K. Sheriff.  
E. F.  
G. H.