

- the law concerning Common Recoveries, and to explain and amend an Act made in the twenty-ninth year of the Reign of King Charles the Second, intituled, 'An Act for Prevention of Frauds and Perjuries' "*---as relates to estates *pur autre vie* ; and also
- 25 G. 2, c. 6.
- 5 an Act passed in the twenty-fifth year of the Reign of King George the Second, intituled, *An Act for avoiding and putting an end to certain doubts and questions relating to the attestation of Wills and Codicils concerning Real Estates in that part of Great Britain called England, and in His Majesty's Colonies*
- 10 *and Plantations in America*---shall be and the same are hereby repealed so far as the same may relate to Upper Canada ; and also, the seventh, eighth and ninth sections of the Act of the Provincial Parliament of Upper Canada, passed in the thirty-third year of the Reign of King George the Third, intituled,
- 15 *An Act to establish a Court of Probate in this Province, and also a Surrogate Court in every District thereof* ; and the forty-ninth, fiftieth and fifty-first sections of the Act of the said Parliament, passed in the fourth year of the Reign of King William the Fourth, intituled, *An Act to amend the Law respecting Real*
- 20 *Property, and to render the proceedings for recovering possession thereof in certain cases less difficult and expensive*, shall be and the same are hereby repealed, except so far as the aforesaid Acts or any of them respectively relate to any Wills or Estates *pur autre vie*, to which this Act does not extend, or to Wills
- 25 made before this Act comes into operation.
- As regards Upper Canada.
Also sects. 7, 8, 9 of Act of U. C., 33 G 8, c. 8.
And sects. 49, 50, 51 of 4 W. 4, c. 1.
- Exceptions.

- III. Every person may devise, bequeath or dispose of, by his Will executed in manner hereinafter required, all real estate, and all personal estate which he is entitled to, either at law or in equity, at the time of his death, and which, if not so
- 30 devised, bequeathed or disposed of, would devolve upon his heir-at-law, or, if he became entitled by descent, upon the heir-at-law of his ancestor, or upon his executor or administrator ; and the power hereby given shall extend to all real estate as hereinbefore defined ; and also to estates *pur autre vie*, whether
- 35 there be or be not a special occupant thereof, and whether the same be freehold or of any other tenure, and whether the same be a corporeal or incorporeal hereditament ; and also to all contingent, executory or other future interests in any real or personal estate, whether the testator be or be not ascertained
- 40 as the person, or one of the persons in whom the same respectively may become vested, and whether he be entitled thereto under the instrument by which the same respectively were created, or under any disposition thereof by Deed or Will ; and also to all rights of entry for conditions broken, and other
- 45 rights of entry ; and also to such and the same estates, interests and rights respectively, and other real and personal estate, as the testator is entitled to at the time of his death, notwithstanding he has become entitled to the same subsequently to the execution of his Will.
- What property may be disposed of by Will.
Estate *pur autre vie*.
Contingent executory or future interests.
Rights of entry.
Estates acquired after the Will is executed.