

shall have the same effect as if the original Will had been registered therein.

2. The provisions of Section 12 of Chapter 112, Title XXX, of the Revised Statutes, 'Of the Registry of Deeds and other Instruments,' shall apply to actions or proceedings by or on behalf of Her Majesty the Queen, and the affidavit of the loss of the Instrument may be made by the Attorney or other Officer acting on behalf of Her Majesty.

### CAP. XXV.

#### An Act to amend the Law for the Registry of Deeds and other Instruments.

Construction of Sec. 6, Chap. 112, Rev. Stat.

*Passed 9th April 1860.*

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That the sixth Section of Chapter 112, Title XXX, of the Revised Statutes, 'Of the Registry of Deeds and other Instruments,' is hereby declared and enacted to mean, and shall be construed to extend to all cases where, if the Conveyance be acknowledged or proved in any Foreign State or Kingdom, the same may be acknowledged or proved before any British Minister, Ambassador, Consul, or Vice-Consul resident there, or Governor of a State, or Mayor of a City, and certified and authenticated under the hand and seal of office of such public functionary, as in the said Section is required.

### CAP. XXVI.

#### An Act to authorize the appointment of Commissioners in the United Kingdom and other parts of Her Majesty's Dominions, and in the United States of America, to take Affidavits and Acknowledgments of Deeds and other Instruments relating to matters in this Province.

Section.

1. Governor in Council may appoint Commissioners in the United Kingdom and elsewhere, to take acknowledgments

Section.

- of Deeds for registry, and Affidavits to be used in Provincial Courts.
2. Fees of such Commissioners.

*Passed 9th April 1860.*

FOR facilitating the acknowledgment of Deeds, Conveyances and other Instruments affecting real or personal pro-

perty in this Province, and also the administering of Oaths or taking Affidavits for the purpose of holding persons to bail in this Province, or having relation to any judicial proceeding in any Court of Justice therein;—

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That it shall and may be lawful for His Excellency the Lieutenant Governor in Council, to appoint one or more Commissioners resident in the United Kingdom, or in the Islands of Jersey or Guernsey, Alderney, Sark, or Man, and the United States of America, to administer Oaths and take Affidavits to be read and used in the several Courts of Justice in this Province, and also to receive acknowledgments and proof of the execution of Deeds, Conveyances and other Instruments affecting real or personal property in this Province; and for the purposes of this Act, such Commissioners shall be severally invested with all the powers and authorities by the 112th Chapter of the Revised Statutes given to any Judge of the Court of Queen's Bench or Common Pleas, or Baron of the Exchequer, or Master in Chancery in England or Ireland, or any Judge or Lord of Session in Scotland, or Mayor or other Chief Magistrate of a City, Borough, or Town Corporate, in any part of the United Kingdom, respecting acknowledgments and proofs of Conveyances or other Instruments, and also with all the powers and authorities by the seventh Section of an Act made and passed in the nineteenth year of the Reign of Her present Majesty, intituled *An Act in further amendment of the Law*, given to a Judge of any Court of Justice in the United Kingdom, or in any Foreign State, or in any British Colony: Provided always, and be it enacted, that all Certificates of proof or acknowledgment of such Deeds, Conveyances, or other Instruments, and to all Affidavits made before any of the said Commissioners, shall be attached a Certificate under the hand and seal of a Notary Public, authenticating as well the signature of such Commissioner, as the signature or mark of the deponent or deponents in such Affidavits, or party or parties proving or acknowledging such Deeds, Conveyance, or other Instrument,

2. That there shall be allowed to, and taken by the Commissioners who may be appointed under this Act, the following Fees for the respective services performed, namely:—

|  |              |    |    |   |
|--|--------------|----|----|---|
| For administering an Oath,                                       | in sterling, | £0 | 2  | 6 |
| For drawing all Papers or Documents, per folio,                  |              | 0  | 1  | 0 |
| For attesting Deeds or Documents, and taking<br>Acknowledgments, | - - - - -    | 0  | 10 | 0 |
| For taking the Acknowledgment of married women,                  |              | 0  | 15 | 0 |

## CAP. XXVII.

An Act to declare the Law relating to the repeal of the Act intituled *An Act to amend the Law for the relief of Insolvent Debtors*.

Effect of proviso in Sec. 1 of Act 22 V. c. 27.

*Passed 9th April 1860.*

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That the clause by way of Proviso in the Act passed in the twenty second year of the Reign of Her present Majesty, intituled *An Act to repeal an Act intituled ‘An Act to amend the Law for the relief of Insolvent Debtors,’* shall be held and construed to extend the provisions of the repealed Act to the cases in the said Proviso mentioned, as fully as if the said repealed Act had continued in operation until the first day of January in the year of our Lord one thousand eight hundred and sixty one; and the said repealed Act shall, with respect to all proceedings therein specified and referred to only, be held and construed to be revived and in full force, for the purpose of giving such proceedings in all cases the effect intended when such repealed Act passed.

## CAP. XXVIII.

An Act to amend the Law relating to Insolvent Confined Debtors.

Weekly allowance to Debtor may be paid to Gaoler.

*Passed 9th April 1860.*

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That whenever the Judge or Justices shall make an order for payment by the Suitor of five shillings per week to the Debtor, as directed by the first Section of Chapter 124, Title XXXIV, of the Revised Statutes, ‘Of Insolvent Confined Debtors,’ such payment may in all cases be made to the gaoler, or keeper of the gaol for the time being,