

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1852. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1852.

15 Victoria – Chapter 5

An Act in further amendment of the Law relating to the Registry of Deeds and other Instruments. Passed 18th February 1852.

Whereas doubts have arisen as to whether Deeds are to be deemed registered from the time they are produced for registry or only from the time when the same shall have been entered in the Registry Book, and Certificate endorsed thereon as mentioned in the tenth section of an Act made and passed in the tenth year of the Reign of Her present Majesty, intituled *An Act to consolidate and amend the Laws relating to the Registry of Deeds and other Instruments*, and in the Act made and passed in the twelfth year of the Reign of Her present Majesty, intituled *An Act in further amendment of the Law relating to the Registry of Deeds and other Instruments*: And whereas it is expedient to declare the Law in this behalf;

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That all Deeds, Memorials and other Instruments required to be registered, which shall be duly acknowledged and proved agreeably to the provisions of the Acts now or that hereafter may be in force relating to the registry of Deeds and other Instruments, shall, for the purposes of being read in evidence in any Court of Justice in this Province, be deemed to be on record from the time that the same shall be produced for registry at the office of the Register, and endorsed received as directed in and by the first section of an Act made and passed in the twelfth year of the Reign of Her present Majesty, intituled *An Act in further amendment of the Law relating to the Registry of Deeds and other Instruments*, and the production of the same so marked by the Register or his Deputy, or any other person duly authorized by such Register, shall be as good evidence of such Deeds, Memorials and other Instruments as aforesaid, and of the registry thereof, in all Courts of Justice, as if the same Deed, Memorial or other Instrument had been actually entered in the Registry Books, and had endorsed thereon the Certificate mentioned in the said tenth section of the said first hereinbefore mentioned Act made and passed in the tenth year of the Reign of Her present Majesty, and in the said Act made and passed in the twelfth year of the Reign of Her present Majesty, intituled *An Act in further amendment of the Law relating to the Registry of Deeds and other Instruments*; provided always, that no Register shall be obliged to attend any Court with the same after it shall have been entered in the Registry Books and Certificate written thereon, nor in any case without service of Subpoena directing him to produce the same, and prepayment of his fees for attendance.