

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1860. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1860.

23 Victoria – Chapter 24

An Act to amend the Law relating to the Registry of Deeds and other Instruments. Passed 9th April 1860.

Section.

1. When Probate of Wills deposited in Courts out of this Province, may be registered here.

Section.

2. Section 12, Chap. 112, Rev. Stat. to apply to actions by or on behalf of the Queen.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly;—

1. That when any Will affecting any lands, tenements or hereditaments in this Province, or any interest therein, shall be deposited in any Court out of this Province, the Probate of such Will, or of any Letter of Administration with the Will annexed, purporting to be under the hand of the Officer having the custody of such Will, and the Seal of the said Court, or an exemplification of such Probate or Letters of Administration, with the Will annexed, purporting to be certified under the hand of the Officer and the Seal of such Court having the custody of such Will, and the Seal affixed to such Probate or exemplification thereof, or to such Letters of Administration with the Will annexed, being proved before any of the persons authorized by the Laws of the Province to take the acknowledgment or proof of Deeds affecting Lands in this Province, and authenticated in like manner, shall be deemed to be evidence of the said original Will being deposited in the Court granting such Probate or Letters of Administration, with the Will annexed, or exemplification thereof; and such Probate or Letters of Administration, with the Will annexed, or the exemplification thereof, under the hand and Seal aforesaid, and proved as aforesaid, may be registered in the Registry of Deeds in any of the Counties of this Province, as other conveyances are registered; and the same, when so registered, 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.