



BY AUTHORITY.

ANNO TRICESIMO SEXTO VICTORIÆ REGINÆ.

CAP. XXVI.

An Act to explain and amend Section five of Chapter forty, twenty seventh Victoria, intituled *An Act relating to Affidavits, Declarations and Affirmations made out of this Province for use therein*; and to amend the Law relating to the Registry of Copy of Probates made out of this Province.

Sec.

- 1 Notaries, &c., authorized to take acknowledgments.
- 2 "Declaration," definition of term; proviso.

Sec.

- 3 Wills, &c., made out of the Province and proved, affecting lands, &c., in the Province, Copy may be registered in Province.

Passed 14th April, 1873.

WHEREAS doubts have arisen as to the authority of Notaries Public and other persons mentioned in section five of said Act, to take acknowledgments of Deeds and other Instruments for Registry in this Province, under section five of said in part recited Act;—

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

1. That Notaries Public and other persons by said sections two and five authorized to take affirmations and declarations proving the execution of Deeds and other Instruments for registry, are hereby authorized and empowered to take acknowledgments necessary for the registry of Deeds and other Instruments, in this Province.

2. That in the construction of the said fifth section, the word 'declaration' therein mentioned shall be construed and taken to include acknowledgments of any Deeds or other Instruments; and any such Deed or other Instrument heretofore acknowledged before any such Notary Public or other person aforesaid under said Act, shall be held and taken to be properly acknowledged, provided the same was done in the same manner as if the word 'acknowledgment' had been originally incorporated in said fifth section, and he or they were thereby specially authorized to take such acknowledgments.

3. That when any Will affecting lands, tenements or hereditaments in this Province, or any interest therein, shall have been proved and registered, and probate of such Will or any letter of administration with the Will annexed shall have been granted in any Supreme or other Court in any of Her Majesty's Dominions, Colonies, Provinces, or Dependencies out of this Province, a copy of such Will purporting to be under the hand of any Master in Equity, or other officer of the Court in which such Will purports to have been proved and registered, and purporting to be authenticated by the Seal of the Court in which such Will purports to have been proved and registered, together with a certificate purporting to be signed by the Chief Justice or other Judges of the Court in which such Will purports to have been proved and registered, that such Master in Equity or other officer is the Master in Equity or other officer (as the case may be), in such Court, shall be deemed to be evidence of the original Will having been proved and registered in such Court, and of the probate thereof, or of letters of administration thereof, with the Will annexed, having been granted; and such copy of the Will under the hand and seal aforesaid, certified 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, and a certified copy thereof shall be admissible in evidence in the same manner as a certified copy of the original Will, if registered, would be; and that for the purposes of this Act it shall be immaterial whether the papers authenticated as hereby required, were so authenticated before or after the passing of this Act; and that any copy of a Will authenticated as required by this Act, and heretofore registered in the Registry of Deeds in any of the Counties of this Province, shall be deemed and taken to be duly registered, and to have the same effect in all respects as if registered after the passing of this Act.

CAP. XXVII.

An Act relating to Fees on Distress for Rent.

Passed 14th April, 1873.

WHEREAS it is desirable that Bailiffs should be better indemnified for costs and expenses incurred by them on the removal and care of furniture and other property seized by them under a Warrant of Distress;—

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

That whenever goods or other property shall be seized under a Warrant of Distress, and costs shall be necessarily incurred by the Bailiff in the removal or care of such goods or other property, such Bailiff, in addition to the fees he may be entitled to receive under the provisions of section thirty one of Chapter 126, Title xxxiv, of the Revised Statutes, and the Table of Fees provided in the fifth section of Chapter 163, Title xli, of the Revised Statutes, shall also be entitled to receive such reasonable costs and expenses as may be necessarily incurred in the removal or care of such goods or other property so seized as aforesaid.

CAP. XXVIII.

An Act to divide the County of Victoria into two Counties, and provide for the government of the new County.

Sec.

- 1 County divided; limits of County; name.
- 2 Part of Parish of Saint Leonard attached to Parish of Drummond.
- 3 Courts established.
- 4 General Sessions, when and where held.
- 5 Shire Town.
- 6 Office of Registry of Deeds, &c., where established.

Sec.

- 7 Parishes in new County to retain their old names. Officers, how appointed; proviso.
- 8 County to have one representative in General Assembly.
- 9 When County shall be deemed established.
- 10 Assessments for County buildings in Victoria not to be collected in new County.

Passed 14th April, 1873.

WHEREAS from the great extent of the present County of Victoria it is necessary and expedient that the same be divided into two Counties,—

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

1. All that part of the said County of Victoria lying to the northward of a line commencing where the boundary line between this Province and the State of Maine strikes the southwestern bank or shore of the River Saint John; thence in a direct line northeasterly across the said river to the upper line of lot number one hundred and sixty six, granted to L. R. Coombs; thence along the said upper line of said lot number one hundred and sixty six to its rear; and thence north forty five degrees east till it strikes the