

III. Provided always, and be it further enacted by the authority aforesaid, that before any such Act or Agreement, in writing, or Contract of Marriage (*Contrat de Mariage*) *sous seing privé*, shall be entered and recorded as hereinabove-mentioned, it shall be lawful for the Provincial Judge of the aforesaid Inferior District, if he shall so think it expedient or necessary, to require the attendance of the several parties to the same; or, in case that the parties or any of them, having executed the same are dead, of such witnesses as were present at the time of signing or executing the same, or in default of witnesses, or in case of their death or absence, of such persons not being witnesses who may have had a knowledge of the facts and circumstances in question, and them severally to examine on oath, and if on full enquiry it shall appear to such Provincial Judge, that the Will, Act or Agreement in writing, or Contract of Marriage, (*Contrat de Mariage*) *sous seing privé* produced, was by the parties thereto *bonâ fide* made and executed at the time when the same may purport to have been made and executed, such Provincial Judge shall authorize and order the same to be entered and recorded as hereinabove-mentioned, but if on the contrary he shall have cause to believe that the same was not *bonâ fide* made and executed at the time when it may purport to have been made and executed, or that the same was made collusively or for any illegal purpose whatever, then and in such case it shall be the duty of such Provincial Judge to reject, and to return the same to the party producing it, without entering or recording the same.

IV. And be it further enacted by the authority aforesaid, that the Prothonotary for enrolling every such Will, Act or Agreement in writing, Contract of Marriage (*Contrat de Mariage*) *sous seing privé*, if the same do not exceed one hundred words, shall be entitled to demand and receive the sum of two shillings and sixpence, currency, and for every hundred words exceeding one hundred, at the rate of sixpence, currency, and for every certified copy of any entry from such book or register, at the rate of one shilling currency, for the first hundred words, and sixpence, currency, for every hundred words exceeding the first hundred words.

V. Provided always, and be it further enacted by the authority aforesaid, that nothing in this Act contained, shall be construed to render legal any Act or Agreement, *sous seing privé*, which by the Laws in force in this Province may have been previously illegal, or which if passed before a Notary would have been or might be considered null and void at Law.

VI. Provided always, and be it further enacted by the authority aforesaid, that any person who being sworn under this Act, shall falsely make oath or swear, shall on being thereof lawfully convicted, incur and suffer the pains and penalties of wilful and corrupt perjury, and provided also, that nothing in this Act contained shall in any wise prejudice the rights of any person purporting to be a party or concerned in any such Act or Agreement, in writing, *sous seing privé*, who may not have appeared and have been also sworn before the Provincial Judge at the time when the same may have been attested, nor to prevent such person from taking his legal recourse against such Act or Agreement in writing, *sous seing privé*, enrolled as above-mentioned, by an inscription *en faux*, or otherwise according to Law.

It is provided above that the records or registers of all such  
 wills, acts or contracts, shall be kept at every town or place  
 where the Provincial Court is held, or where the Provincial  
 Judge shall think fit to hold the same, and that the records  
 shall be open to the view of all persons who shall apply  
 to the Provincial Judge for that purpose, and that the  
 Provincial Judge may cause the same to be examined and  
 certified in such manner as he shall think fit.

or Valid any such Contract  
 shall be void, unless the same  
 shall be entered and recorded  
 as hereinabove-mentioned, and  
 that no such Contract shall be  
 admitted to be proved in any  
 Court of Law.

It shall be further enacted by the  
 authority aforesaid, that until some  
 other provision shall be made  
 in this behalf, all such Wills,  
 Acts or Agreements, in writing,  
 or Contracts of Marriage, shall  
 be executed before any Justice of the Peace  
 and two subscribing Witnesses, or before any  
 Minister, Curé, or Chaplain, and two  
 subscribing Witnesses, or before the Clerk of the  
 Provincial Court of the said Inferior  
 District, and two subscribing Witnesses, and  
 shall be as well as the same thereof certified  
 by the Minister, Curé, or Chaplain, Justice of the  
 Peace or Clerk of the Provincial  
 Court aforesaid, before whom the same may  
 have been executed, received as  
 authentic in all the clearest Courts of Law  
 in this Province.