

*don, Lessor, or Bailleur de fonds*, which rights shall have preference to those of any purchaser or mortgagee claiming under a notarial act or deed posterior thereto, but first enregistered, provided nevertheless that every act or deed, establishing or making a sale or a lease for a term exceeding twenty years, shall be presented for registry within twenty days after the same shall have been executed.

XII. And as a security to purchasers and mortgagees during the time which may elapse between the searching of a register and the date of the execution of a notarial act or deed, conveying away or creating or carrying a mortgage upon any real property within the townships above said, and to facilitate a prompt registry thereof when executed; Be it further enacted by the authority aforesaid, that it shall be the duty of every notary, at and before the execution of any such act or deed, to require of the mortgager to declare upon oath, in the presence of the mortgagee, (and which oath every notary is hereby empowered and required to administer,) whether he, the said mortgager, has, at any period of that day, or of the ten days immediately preceding, executed any other act or deed, whereby the property in question may have been conveyed away or mortgaged to any other person or persons; and further, it shall be the duty of every notary to make a true and exact copy of every act or deed, previous to the same being passed or executed before him, so that the said copy duly certified may be delivered to the purchaser or mortgagee immediately after the execution of such act or deed of sale or of mortgage: and every notary who shall refuse or neglect to make such copy, and to certify and deliver the same in manner aforesaid, upon being first paid for the original act or deed and the copy thereof, shall forfeit and pay to the purchaser or mortgagee the sum of ten pounds, to be by the said purchaser or mortgagee recovered in the Court of King's Bench of the district, or provincial court of the inferior district or circle, where such notary resides: and every person who, upon an oath as abovesaid being administered to him by a notary, as hereinbefore directed, shall wilfully and corruptly swear falsely, he shall, upon conviction thereof, incur and suffer the pains and penalties by law attached to the commission of wilful and corrupt perjury.

XIII. And be it further enacted by the authority aforesaid, that the description of every witness to any notarial act or deed of sale, conveyance or mortgage, respecting real property, in the townships abovesaid, by his name, trade, business or calling, with the place of his residence, shall be inserted in every such act or deed, before the execution of the same, to render valid the testimony of such witness, that such act or deed was executed before him as a witness thereto.

XIV. And be it further enacted by the authority aforesaid, that whenever any act or deed of sale, whereon money is due, or of mortgage so enregistered as aforesaid, shall be paid off, redeemed and discharged, the registrar of the inferior district or circle wherein the property is situate, on the same being acknowledged before him in writing by the vender or mortgagee, his heirs, executors, administrators, curators or assigns, and duly witnessed, or that of a notarial copy of a notarial act be produced to such registrar, executed by the vender or mortgagee, or his, or her heirs, executors, administrators, curators, or assigns, acknowledging such payment and discharge, then and in such case the registrar shall make an entry in the margin of the register book over against the original entry or registry of the corresponding act or deed of sale, conveyance or mortgage, that the money due upon such sale or mortgage has been paid off and discharged; for which entry the said registrar shall be entitled to demand and receive shillings and no more, and every such acknowledgement of payment and discharge so made in writing before a