

**Proviso.** empowered to make and grant the builder's certificate, Provided always, that if the owner produce a certificate that no such contract has been registered he shall receive the register and grant the builder's certificate.

**Contracts under this Act must be registered.** V. Every contract to be made under this Act must be passed in due form before a Notary Public or in duplicate before two witnesses, and a memorial thereof must be registered in the Registry Office of the County or place where the said vessel shall be so built; and such contract and the rights thereon only avail and accrue from the date of such registration; and unless such contract be so made and registered as aforesaid, this Act shall in no way enure to the benefit of the contracting parties or any of them. 5 10

**Form of Memorials for Registration, and proof thereof.** VI. Every memorial to be registered as aforesaid shall be in writing under the hand of the advancer and attested by two witnesses, and shall contain a description of the vessel, with the designation of the ship-yard or place where she has been built, the amount in money or goods to be advanced, with the names and additions and residences of the contracting parties and of the witnesses, and the date of the contract and where the same had been passed before a Notary, the name of the said Notary, and shall be presented and delivered to the Registrar or his Deputy at the office where the same is to be registered, and the same shall be acknowledged by the advancer or advancers by whom the same shall have been executed, or one of them, or shall be proved by one of the witnesses to the execution thereof, on oath before the said Registrar or his Deputy, who is hereby empowered to administer the said oath, and together with every such memorial there shall be produced to the said Registrar or his Deputy the contract in writing of which such memorial is to be registered, or a Notarial copy thereof if the original be executed in Notarial form and within the custody of a Notary, or such office copy as may have validity; and the said Registrar or his Deputy shall endorse and sign the usual certificate of the registration thereof, and such certificate shall be taken as evidence of such Registry in all Courts of Law; Provided always, that any memorial to be registered as aforesaid which may be made at any place within this Province not within the County wherein the keel of the said vessel may lie, shall be entered and registered on the production and delivery to the Registrar of said County, or his Deputy, of an affidavit sworn before any one of the Judges of the Court of King's Bench or Queen's Bench, or of the Superior Court, or of the Common Pleas, by which the execution of such memorial shall be proved by one of the witnesses of the same or by the said advancer or advancers, or one of them; and any memorial to be registered which may be made or executed in Great Britain or Ireland, or in any of the Colonies or possessions belonging to the Crown of the United Kingdom shall be entered and registered upon the production and delivery to the Registrar or his Deputy of an affidavit sworn before the Mayor or Chief Magistrate of any City, Borough or Town corporate in Great Britain or Ireland, or the Chief Justice or Judge of any Supreme Court of any such Colony or session, by which the execution of such memorial shall be proved by the advancer or by any one of the witnesses to the same. 15 20 25 30 35 40 45

**Effect of certificate of registration.**

**Proviso. as to memorials not made within the County where the keel is laid.**

**Act not to deprive any party of any lien, &c. he may have at law.** VII. This Act shall not deprive any party of any legal right, action, lien privilege, or hypothec, which by law he had at the time of making any such contract, nor up to the time of registration as aforesaid, nor deprive any person of his right to have an account where by law he is entitled thereto. 50