

Commissioner duly authorized to take affidavits be brought to the said register or his deputy, wherein one of the witnesses to the execution of such deeds, wills and conveyances shall swear he or she saw the same executed, the same shall be a sufficient authority to the said register or his deputy to give the party that brings such deed, conveyance or will and affidavit, a certificate of the registering the same, which certificate signed by the said register or his deputy shall be taken and allowed as evidence of the registry of the same in all courts of record in this province, any thing in this act to the contrary thereof contained in any wise notwithstanding.

lands &c. lie;
on due proof.

XIV. *And be it further enacted by the authority aforesaid,* That if any person or persons shall at any time forge or counterfeit, any such memorial or certificate as are herein before mentioned and directed, and be thereof lawfully convicted, such person or persons shall incur and be liable to such pains and penalties as in and by an act of the parliament of Great-Britain, made in the fifth year of the reign of queen Elizabeth, entitled, "An act against forgers of false deeds and writings," are imposed upon persons for forging or publishing deeds, charters or writings sealed court rolls, or wills, whereby the freehold or inheritance of any person or persons of, in, or to, any lands, tenements or hereditaments, shall or may be molested, troubled or charged; and that if any person or persons shall at any time forswear himself before the said register or his deputy or before any judge or commissioner duly authorized in any of the cases aforesaid and be thereof lawfully convicted, such person or persons shall incur and be liable to the same penalties as if the same had been made in any of the courts of record.

Pains and penalties of forgery and perjury.

XV. *Provided always, and it is hereby enacted,* That all memorials of wills that shall be registered in manner as aforesaid, within the space of six months after the death of every respective devisor or testatrix dying within this province, shall be as valid and effectual against subsequent purchasers as if the same had been registered immediately after the death of such respective devisor or testatrix; any thing herein contained to the contrary in any wise notwithstanding. Provided always, that in case the devisee, or person or persons interested in the lands, tenements or hereditaments devised, by any such will as aforesaid, by reason of the contesting such will or other inevitable difficulty, without, his, her, or their willful neglect or default, shall be disabled to exhibit a memorial for the registry thereof within the respective times herein before limited, then and in such case the registry of the memorial within the space of six months next after his her or their attainment of such will or a probate thereof or removal of the impediment whereby, he, she, or they are disabled or hindered to exhibit such memorial shall be a sufficient registry within the meaning of this act; herein any thing contained to the contrary thereof in any wise notwithstanding.

Provision for the registry of memorials of wills

Provision in favor of devisees.

XVI. *And be it further enacted by the authority aforesaid,* That no member of the house of assembly hereafter to be chosen, during the time that he is such member, shall be capable of being appointed register, or of executing by himself, or any other person the said office, or have, take, or receive any fee or other profit whatsoever, for or in respect thereof, nor shall any register, or his deputy, for the time being be capable of being hereafter chosen a member to serve in the assembly of this province.

No members of the assembly to hold directly or indirectly the office of register.

XVII. *And be it further enacted by the authority aforesaid,* That this act shall be taken and allowed in all courts within this province as a public act; and all judges and justices are hereby required as such, to take notice thereof without special pleading the same.

This act to be held and taken as a public act.

Schedule of a Bargain and Sale to be Enrolled.

Forms.

AN^d Indenture dated _____ made between I. A. of _____ of the one part and D. P. of _____ of the other part, purporting a deed of bargain and sale to be enrolled of and concerning the same premises mentioned in a lease for a year, bearing date next before the day of the date of _____