

A mayor or notary of any country;
British Judges;
"A British Minister, Ambassador, Consul,
Vice-Consul, Acting Consul, Pro-Consul,
or Consular Agent of His Majesty, exercising
functions in any foreign place . . ."

If the proof of the execution of such instrument is taken out of the Province it shall be taken before any of the following:

A mayor or notary of any country;
British judges;
A commissioner for taking affidavits
under C. 71;
"A British Minister, Ambassador, Consul,
Vice-Consul, Acting-Consul, Pro-Consul,
or Consular Agent of His Majesty exercising
his functions in any foreign place. . ."

S. 52 requires that the signature of a British minister, etc., shall be accompanied by his seal of office.

(NOTE: The Registry Act deals with the registration of instruments relating to land.)

NOVA SCOTIA

S. 6 of C. 38 of the R.S.N.S. 1923 provides that the Governor-in-Council may by commission empower anyone to take affidavits, etc., out of Nova Scotia for use in Nova Scotia Courts.

S. 52 of the Evidence Act, R.S.N.S. 1923, C. 225, provides that affidavits, etc., taken out of Nova Scotia before any of the following shall be valid for all purposes:

A Commissioner authorized by Nova Scotia law to take affidavits;
Certain British officials;
A judge, mayor, or notary, of any country;
"A consul general, consul, vice-consul, pro-consul or consular agent of His Majesty, exercising his functions in any foreign place, or any person acting as such . . .";
An officer holding a commission in His Majesty's Navy, Army, or Air Force and being on active service in Canada or abroad.

S. 52 also provides that any such document purporting to have affixed the official seal and signature of any consul general, etc., shall be admitted in evidence without proof of such seal and signature or of the official character of such person.

The Registry Act, R.S.N.S. 1923, C. 144 deals with the registration of instruments relating to land and provides that the execution of such instruments may be proved by an acknowledgment under oath by the person executing it or by an oath of a subscribing witness. S. 30 provides, in part:

..... "(1)