

A register may perform the duties of more than one office

A memorial of deeds, conveyances and wills affecting any lands, held by grant from the crown under the seal of the province, may be registered.

Subsequent deeds and conveyances of lands, tenements &c. comprized in such memorial so registered, to be held fraudulent & void.

Exception.

Notice to be given when the office of register becomes vacant, to the governor &c.

Term limited for filling up such vacancy.

The memorials to be put in writing and brought to the office.

Oaths to be administered & witnesses requisite in registering every memorial.

Particulars to be inserted in every memorial.

one sufficient person as aforesaid to hold and perform the duty or duties of one or more office or offices whereforever they may be established, and to order and appoint the place or places where such person shall be constantly or occasionally resident.

II. *And be it further enacted by the authority aforesaid,* That from and after the confirmation of all or any lands to any person or persons by grant from the crown under the seal of the province, a memorial of all deeds and conveyances which shall be made and executed, and of all wills and devises in writing made, or to be made and published when the divisor or testator shall die after making and publishing of the same, of or concerning and whereby any lands, tenements or hereditaments in any county or riding of this province may be any wise affected in law or equity, may at the election of the party or parties concerned be registered in such manner as is herein after directed; and that every deed and conveyance that shall at any time after any memorial is so registered be made and executed of the lands, tenements or hereditaments, or any part thereof, comprised or contained in any such memorial, shall be adjudged fraudulent and void against any subsequent purchaser or mortgagee for valuable consideration, unless such memorial be registered as by this act is directed, before the registering of the memorial of the deed or conveyance under which such subsequent purchaser or mortgagee shall claim, and that every devisee by will of the lands, tenements or hereditaments or any part thereof mentioned or contained in any memorial registered as aforesaid, that shall be made and published after the registering of such memorial shall be adjudged fraudulent and void against a subsequent purchaser or mortgage for valuable consideration, unless a memorial of such will be registered in such manner as herein after directed.

III. *And be it enacted by the authority aforesaid,* That when and as often as the said office shall become vacant by the death forfeiture or surrender of any such register or registers, the justices of the peace for the said county or counties, riding or ridings, if more than one be held by one person or the district wherein such county or counties, riding or ridings may be, assembled at the general quarter sessions of the peace, next after such vacancy shall happen, or the major part of them shall in open court draw up a memorial of such vacancy, and transmit the same without delay to the governor, lieutenant governor or person administering the government of this province for the time being, praying that a person of sufficient integrity and ability may be appointed to the said office or offices; and the said governor, lieutenant governor or person administering the government of this province for the time being; shall within one month after the said memorial shall be received appoint a person of sufficient integrity and ability to the said office or offices.

IV. *And be it further enacted by the authority aforesaid,* That all and every memorial or memorials so to be entered and registered shall be put into writing, and brought to the said office, and in case of deeds and conveyances, shall be under the hand and seal of some or one of the grantors or some or one of the grantees, his or their heirs, executors or administrators, guardians or trustees, attested by two witnesses, one whereof to be one of the witnesses to the execution of such deed or conveyance, which witness shall upon his oath before the said register or his deputy, prove the signing and sealing of such memorial, and the execution of the deed or conveyance mentioned in such memorial; and in case of wills, the memorial shall be under the hand and seal of some or one of the devisees, his or their heirs, executors or administrators, guardians or trustees, attested by two witnesses, one whereof shall upon his oath before the said register or his deputy prove the signing and sealing of such memorial, which respective oaths the said register or his deputy are hereby empowered to administer, and shall endorse a certificate thereof on every such memorial, and sign the same.

V. *And be it further enacted by the authority aforesaid,* That every memorial of any deed, conveyance, or will, shall contain the day of the month and the year when such deed, conveyance or will bears date, and the names and additions of all the parties to such deed, conveyance or