

same, which endorsement and new record of such paper shall be *prima facie* evidence of the verity of the record so made, and available for all purposes for which the original record, if it had not been destroyed by fire, would have been available in evidence.

If certified copy cannot be procured.

Sec. 7. *And be it enacted*, That in all cases where any record or paper shall be wholly destroyed by fire, and the original or certified copy thereof cannot be procured, it shall be the duty of the Commissioner, if the said record be found indexed, to hear and receive such other evidence, if any there be within the record office, either to be derived from the remains of the burnt record or otherwise, and such extrinsic evidence as the parties interested may supply, and shall determine and adjudge in the premises, whether the said record or paper be fully established, and if satisfied by such evidence, it shall be his duty, if the party or parties grantor shall supply a new instrument, correspondent to the one destroyed by fire, and confirmatory of the same, to accept such instrument, and to order and direct the same to be recorded, with an endorsement thereon of said order, which record and endorsement shall secure to the party or parties concerned, all the rights, title and interest which was designed and intended to be vested by the original paper or instrument of writing, as fully as if the record thereof had not been destroyed by fire, but if for any reason, the grantor or grantors should not supply a new or confirmatory deed or other instrument of writing, as the case may be, corresponding with the one destroyed by fire, then the said Commissioner shall execute and deliver in his capacity of Commissioner, a new and confirmatory deed or instrument of writing, under his hand and seal, properly acknowledged, to take the place of the record destroyed by fire, and shall order and direct the same to be recorded, after endorsement, which shall secure to the party or parties interested, the same rights title, and interest which was designed and intended to be vested by the original paper or instrument of writing and record thereof, as fully and effectually as if the record had not been destroyed by fire.