

to the same penalties, save and except as to the acting before taking such oath, and before entering into such recognizance as is hereinbefore provided, that such register would be liable to if living, until a new register be duly appointed and sworn.

Appendix (E.)

XXXIX. And be it further enacted, That every county register shall provide some fit and proper house or place for the transaction of the business of his said office, and the safe custody and keeping of the registries therein, regard being had to the preservation of all such registries from the danger of fire, until some proper and suitable building shall be provided for such purpose by the Governor or person administering the government of this province, and such office shall be open for the transaction of the business of registration therein from the hour of nine in the morning until twelve at noon, and from the hour of two in the afternoon until the hour of five, on every day in the year, Sundays and such holidays as with reference to the religious rites and customs of the inhabitants of this province may be fixed for that purpose, by the Governor or person administering the affairs of this province, only excepted; and the office of the provincial register shall be open for the transaction of the business of his office under this Ordinance on the same days as the office of such county registers, from the hour of ten in the forenoon to the hour of four in the afternoon of each and every day.

Register to provide a fit house and office, which to be open for registration from nine to twelve and from two to five every day, Sundays and holidays only excepted. The provincial register's office to be open from ten to four.

XL. And whereas it is expedient that when registry offices shall be fully established in the several counties of this province, the several registers thereof shall be remunerated by fees to be paid for the work which may be transacted in their several offices by the parties making registry therein, according to a regular tariff of fees to be established by the Governor or person administering the government of this province, by and with the advice of the executive council; but no power at present exists to establish such fees or tariff by legislative authority, save and except so far as the same may be taken under the existing Acts of the legislature of this province relating to registry offices in the counties of Drummond, Sherbrooke, Stanstead, Shefford, Missisquoi, Ottawa, Beauharnois, Megantic, Two Mountains and Acadie: And whereas it is not expedient that the benefit which is expected to arise from a system of registration should be postponed until such power may exist; Be it therefore further enacted, That it shall and may be lawful for the Governor or person administering the government of this province, from and out of any unappropriated sums of money in the hands of the receiver-general, from time to time, by warrant under his hand, to pay such reasonable salaries and allowances for two years from the period of this Ordinance coming into operation, as may be necessary for the remuneration of the several registers, and the establishing and maintenance of their offices and the expenses thereof, and for the other purposes of this Act: Provided nevertheless, That such sums of money shall not exceed in the whole the sum of currency annually.

Recital that registers shall be paid by fees (when the offices fully established) to be settled according to a tariff to be established by the Governor in Council, but as no power now exists to establish such by legislative authority, and it is not expedient to postpone the benefits of a registry until such power exists, the Governor, &c. authorized to pay out of any unappropriated funds, &c. reasonable salary to the registers, &c., and their expenses of office, &c., not exceeding in the whole pounds annually.

XLI. And be it further enacted, That every county register shall keep in his office one general book of registry, in which shall be entered at length in the order in which they shall be presented for registration, all instruments entitled or liable to registration, and shall keep one other book of registry, to be called The Book of Requisitions, in which shall be entered, day after day successively and in numerical order, without any blank or interlineation, all requisitions for registration of any document or instrument presented for that purpose, and in the order in which such requisitions shall be received and come to the hands of such register, in which entry shall be specified the number of documents and their respective natures, whether judgments or other judicial acts, letters patent or grants from the Crown, acts of fealty and homage, notarial acts, claims from inheritance or wills, instruments *sous seing privé* or claims from operation of law, or leases or other evidence of title, charge or claim which the party may desire to register, with the day of the month, week and year, and the hour of the day in which the same shall be presented for registration, and the name, addition, address and domicile of the person presenting the same to be registered, and of the person or persons in whose behalf such registration may be required, and whether such person or persons appeared personally or by attorney, and if by attorney, the name, address and domicile of such attorney, and in which entry shall also be specified by general description and by the name of the town, township, seignior, parish or extra-parochial place or village where situate the lands intended to be thereby affected, all which particulars shall be supplied in writing by the person appearing and requiring for himself or any other person such registration. A copy of which entry with the number affixed thereto in the said book shall be delivered to the person presenting such documents for the use of the person requiring such registration, together with a certificate that such documents have been duly registered (when such is the case), and the number of such registry in the principal book or books of such registry, and which certificate shall be signified by the register at the foot of the copy of such entry.

Books of registry to be kept by each register.

XLII. And be it further enacted, That all documents, instruments or papers relating to the same lands and to the same act of registration shall be kept by the county register by whom the same may be registered, in one packet under one number, and shall be entered under the same number in the several principal books of registry, which number shall be the same as that under which the requisitions for registry shall be entered and made in the book of requisitions; and every registry when made and perfected shall be taken to have effect and rank in priority of time, subject to the rights of privileges if preserved in manner and within the respective times hereinbefore provided, according to the number under which it may be entered in such book of requisitions, save and except where it may be otherwise expressly provided and enacted by this Ordinance.

All documents relating to the same Act of requisition to receive the same number as in the book of requisitions, and the registry to take effect according to such number, except otherwise provided by this Ordinance.

XLIII. Provided nevertheless, and be it further enacted, That when two or more requisitions for registration from different parties shall be made at the same precise time, that is to say, by the same post or otherwise, the documents or instruments which may be first in order of date shall be the first entered in the said book of requisitions; and where two or more may be of the same date and to different parties, then the same shall be entered of the same number, but with letters in addition to distinguish them, and their respective priorities as between each other shall depend upon the priority of the execution of each respectively. Provided also, That no document or instrument which shall have been antedated at or after the time of its execution shall receive any priority of registry from or by reason of any such prior entry in the said book of requisitions, but all such documents or instru-

Requisitions received at the same time to be entered according to the date of the instruments.