

With regard to Sects. X, XI, XII, & XIII, see 7 V. c. 22, s. 7, providing that the certificate of the Registrar shall contain a copy of the Memorial, or be indorsed on a copy thereof,—and 8 V. c. 27, s. 1, providing that Memorials may be executed by and registered at the instance of any party having an interest, direct or indirect, in the registration or of the debtor or party charged,—and may be attested before any Notary, Commissioner for receiving Affidavits to be used in Q. B. or Justice of the Peace,—that the Registration by Memorial shall avail to all parties interested in the instrument it relates to, and may be made on its being presented by any person producing such instrument ; and that the Certificate may be written upon the document registered and need not contain copy of memorial. Section 2 provides that Memorials executed in any part of *this Province* (Canada) may, on the observance of the said formalities only, be registered at the instance of *any person whomsoever*, so that interest in the instrument is not required in such case ?

With regard to Sect. 12, see 19-20 Vic. c. 88, providing for proof of deeds, &c. and : Memorials, in Upper Canada for use in Lower Canada.

With regard to Sect. XV see 6 Vic. c. 15. s. 2. which removes all Obligation to register for any Seigniorial services or rights.

With regard to Sect. XVI, there can now be no Judge of the Court of Common Pleas, the Ordinance for constituting that Court being repealed. With reference to this Section, see also Sect. X, as to the parties by whom memorials must be made.—*Query*, as to the Power of an Attorney or Agent to make the memorial for interest, or to take the oath that it is due.

With regard to Sect. XVI,—see also 7 V. c. 22. s. 10. amending and explaining this section, and providing that it shall save the right to the arrears of interest for two years and the current year,—that the hypothec for interest not preserved by the original registration shall date from the registration for interest,—that the claim for interest need not be attested on oath when founded on the authentic document,—and that the registration of the title shall save the interest or arrears for five years and the current year in the case of alimentary pensions, life rents, rents under lease, interest on the price of the property, or arrears of a *rente foncière* or *constituée* upon it :—and with regard to this section, and Sect. XL and others, see 8 V. c. 27. facilitating the entry of Documents filed on or before 1st November 1844, (so that all such documents may be registered in six months after 29th March 1845,) and providing that a certificate of the entry of any such document for registration shall be sufficient without mentioning the book or page in which it is registered :—also allowing any body interested, even the debtor, to make the memorial and ask registration of it :—See also I. L. C. Reports for several cases in which, (since 7 Vic. c. 22. even,) it has been held that the registration, on or before 1st of November 1844, of deeds passed before the coming into force of the 4 Vic. c. 30, is sufficient to preserve mortgage for *all* interest due, without any memorial for any arrears.

With regard to Sect. XVII,—the intention of the Legislature seems to be, that a lease for less than nine years shall not be regarded as the conveyance of an estate or interest requiring registration as such, and not that any express hypothec created by or arising out of such lease should be exempted from registration ?—But see *contra* Brown v McInenly. P. 291. Vol 3. L. C. Reports. It would appear to be intended that longer leases shall require registration ?—*Query*, as to leases for nine years exactly, or for a life or lives ?—the legislature meant to say 9 years or less ?—Sect. XVIII, would seem to refer to a legal bankruptcy under the old Bankrupt Ordinance, and not to mere insolvency ?

With regard to Sect. XVIII, see 7 V. c. 10. S. 37, declaring all conveyances and contracts, and other dealings and transactions with any Bankrupt before the date of the Commission to be valid notwithstanding any act of Bankruptcy, provided the party dealing with him had no notice of such act of Bankruptcy ; also s. 38 as to payments made by the Bankrupt. But this Act 7 V. c. 10, is now repealed excepts as to certain special cases.

With regard to Sect. XX, see the notes on preceding Sections as to the registration of general hypothecs, in cases where they may still subsist. Is the Memorialist bound to point out the property against which they are to be registered, and the Registrar to enter and index them accordingly ?—Or, may they be registered as general hypothecs upon all the property of the debtor in the District ? (compare the forms of memorial given in Schedule IV, Nos. 6 and 7.) In either case it would seem that they may be registered at any time, subject to the provisions of the Ordinance and of the Law as to priority ?

With regard to Sect. XX, see 12 Vic. c. 48, allowing Registrars of Quebec and Montreal to keep separate Registers for various classes of deeds ; also, 19 Vic. c. 15. providing for the minute or day book being authenticated.