

LAW BILLS OF THE SESSION.

DIARY FOR OCTOBER.

3. SUN ... 16th Sunday after Trinity.
2. Mon ... County Court and Surrogate Court Term com.
7. Sat ... County Court and Surrogate Court Term ends.
8. SUN ... 17th Sunday after Trinity.
9. Mon ... York and Peel Assizes.
15. SUN ... 18th Sunday after Trinity.
18. Wed ... St. Luke.
22. SUN ... 19th Sunday after Trinity.
28. Sat ... St. Simon and St. Jude.
29. SUN ... 20th Sunday after Trinity.
31. Tues ... All Hallow Eve.

NOTICE.

Owing to the very large demand for the Law Journal and Local Courts' Gazette, subscribers not desiring to take both publications are particularly requested at once to return the back numbers of that one for which they do not wish to subscribe.

THE

Upper Canada Law Journal.

OCTOBER, 1865.

LAW BILLS OF THE SESSION.

Whatever may be said of the results of the sitting of the assembled wisdom of the land in a political way, with which, however, we have nothing to do, it cannot be denied that some very important measures affecting property and civil rights have been added to the Statute Book, during the session of Parliament that has just closed.

Of these acts the most prominent are the Registry Act, the Act for quieting titles to real estate, and the Act to amend the law of property and trusts. Of the first it is needless to say much; it has been before the profession and the public for a long time, and the alterations now effected in the law of registration of titles to real estate, have been fully considered and are known doubtless to most of our readers. Without spinning out at the accustomed length, the arguments in favor of registration generally, we are nevertheless glad to notice every step towards a complete and stringent carrying out of the system which prevails in this country with reference to titles. And in this connection we direct attention to the letter which appears in another place, as to the advisability of providing some means of supplying the link which is occasionally found wanting in a chain of title, owing to the want of registration of the title of heirs. It would be a difficult thing perhaps to

manage, but a little discussion and thought may eliminate the necessary inspiration. A very important judgment has just been given in the Court of Queen's Bench, in *Robson v. Waddell*, which decides that the description of the addition of the subscribing witness in a memorial, was essential to the validity of the registration. There had been a foreshadowing of this decision, and greater caution has of late years obtained amongst conveyancers in consequence; but we rather think that under it, half the titles in the country would be found more or less defective, if the matter remained in that position; but this judgment remained in abeyance, and was not given until a remedy had been provided by the Legislature, which is done by section 78 of the late act, which reads as follows:

"No registration of any deed or other instrument heretofore made shall be deemed or adjudged void by reason of the name or names, residence or residences, addition or additions of the witness or witnesses to such deed or instrument being improperly given or described in the registered memorial thereof, or being either in part or altogether omitted from such memorial, or by reason of any clerical error or omission of a formal or technical character therein; and all registrations heretofore effected in separate registry books of unincorporated villages, are hereby confirmed when the law has been otherwise complied with, and such separate registry books shall be taken and held to form a part of the registry books of the municipality of which such unincorporated village forms a part: provided always, that this clause shall not affect any case or cases now proceeding in any of the courts of law or equity in Upper Canada."

The Registry Act, for all purposes which concern the profession in general, comes into force on the first day of January next.

The Act for quieting titles has already been referred to at length in this journal.* It now remains to be seen how it will work. Chancery men who have lately been complaining of the reduction of their fees, will have the consolation of knowing that the operation of this act is peculiarly within the precincts of their court. We publish a copy of this act, as well as the rules promulgated by the judges of the Court of Chancery under it. With these two acts in full working order, there should be no