

it imposes; and that if its execution is confided to unskilful and indifferent persons, the doubt and confusion which result from the obscure and contradictory provisions of this law must be considerably augmented.

I must, however, observe, that this law, so imperfect in all other respects, has defined in a very clear manner the duties of Registrars and their Deputies. And the Legislature, in order to establish a uniform system of keeping the books intrusted to these officers, has ordained that each Registry Office should, in the first instance, be provided with the number of books required, at the expense of the Government of this Province. As these books contained on the first page forms of the entries required by the law, the duties of the Registrars became easy to fulfil; and in following the course thus pointed out to them, as well by certain clauses of the Ordinance as by the forms which were thus furnished to them, they accomplished all that the law expected of them. If, on the contrary, they deviated from the rules thus prescribed to them, they became by so much the more obnoxious to censure and blame, that they aggravated by their negligence the evil consequences of an obscure and vicious law.

My mission was to inquire if Mr. *Dowling*, first Registrar for the County of *Montreal*, now deceased, and Mr. *Ryland*, his successor in that office, had conformed to the Ordinance in the exercise of their functions, or if they had failed in the accomplishment of the important duties which had been imposed upon them. I think I have acquitted myself of it with impartiality, and I have been impelled by no other motive than a desire to render myself worthy of the confidence with which Your Excellency had honored me in charging me with so delicate a mission.

I soon perceived that the task which I had undertaken would become by so much the more disagreeable and painful, that it would be indispensably necessary that my Report to Your Excellency should differ in many respects from that which *E. A. Clark*, Esquire, formerly Inspector of Registry Offices for the Districts of *Montreal*, *Three Rivers*, and *St. Francis*, had submitted to the Right Honorable *Charles Murray*, Earl *Cathcart*, Your Excellency's predecessor, in the month of April, 1846; and that instead of the expressions of

praise and commendation that I should have wished to be able to apply to the respectable gentlemen to whom the Registry Office for the County of *Montreal* has been confided since its establishment, I should be obliged to speak unfavorably of them. But this circumstance, although very painful, did not occasion me a moment's hesitation. I proceeded to the investigation prescribed to me, with a desire to ascertain and declare the truth.

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State of the Registry Office for the County of *Montreal*, under the administration thereof by the late *Edward Dowling*, Esquire, first Registrar of said County, and condition in which that Office was found at the time of that Officer's death, in May, 1845 :

*Edward Dowling*, Esquire, having been appointed Registrar for the County of *Montreal*, at the time when the Ordinance of the 4th year of Her Majesty's Reign, cap. 30, was put into execution, took the requisite oaths, and gave as his sureties the Honorable *Dominick Daly*, then Provincial Secretary for *Canada East*, and *John Tobin*, Esquire, Merchant. The Bond is in general terms, and does not contain any special hypothec, as required by the 28th section of the said Ordinance—it was registered only on the 7th March, 1845, although it was dated on the 5th March, 1844.

Mr. *Tobin* having become a Bankrupt in December, 1846, the Honorable *Dominick Daly* remained from that time the sole surety for Mr. *Dowling*.

As, in virtue of the Ordinance above mentioned, the sureties for Registrars are responsible for the acts of those officers during three years after their death or resignation, Mr. *Dowling* having died in May, 1845, the Honorable *Dominick Daly* was freed from his responsibility only in the course of the month of May last (1848.)

I fear that the engagements contracted by the Honorable *Dominick Daly* as surety for Mr. *Dowling*, have greatly contributed to the deplorable state in which the Registry Office for the District of *Montreal* is found.

Mr. *Dowling* named as his Deputy Mr. *Thomas W. Middleton*.