

OPINION PATERSON, HARRISON & PATERSON *Re*
REGISTRAR'S CLAIMS.

TORONTO, December 29, 1870.

DEAR SIR :

We duly received your letter of 26th instant. You state that the Registrar of your County asks for remuneration for work done in copying Abstract Indices and claims for such work \$12,498 50, and has, as we understand your letter, made a claim for copying instruments of \$6,193 08 additional. You desire to know if the County can be compelled to pay these charges, not having ordered the work to be done. You also desire to know if the accounts should not first be certified by the Inspector of Registry Offices, and if any decisions have been given for or against a County for such charges.

It was under S. 28 of the 29 Vic., Cap. 24 (see S. 30 of Stat. Ont., 31 Vic., Cap. 20) made the duty of the Registrar on or before 1 January, 1866, in a new book to be opened for the purpose and to be called the Abstract Index, to make certain entries therein mentioned. It was also made the duty of the Registrar, under S. 29 of the Act (see S. 31 of 31 Vic., Cap. 20) to keep an Alphabetical Index of names.

Besides, under S. 26 of the Act (see S. 23 of 31 Vic., Cap. 20) all Registrars who had received from another County, original memorials and statements of titles therewith were required, as soon as practicable after the passing of the Act to make full and complete copies of all such Memorials in proper books.

The Section of the Act which fixes the remuneration to be paid for such services, is the 68th (see S. 70 of 31 Vic., Cap. 20).

It by Sub-S. 7 allows 10 cents per folio for work done under S. 26 of the Act.

It by Sub-S. 8 provides that no fees shall be chargeable in respect of the Alphabetical Index, and that in no case shall the fees chargeable in respect of the Abstract Index exceed in the whole \$2,000.

It is then provided by S. 70 of the Act that if the County Treasurer refuse to pay the fees and allowances for any