

DEFECTS  
—IN THE PRESENT—  
LAND LAWS,  
—AND—  
PROPOSED REMEDIES.

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It has often happened in Ontario, and will often continue to happen, unless some remedy be applied, that men who have been many years in occupation of land which they have bought and paid for, and honestly believed themselves to own, have suddenly found to their surprise and cost, some defect in their title, which has resulted in their being either involved in a costly law suit, or otherwise exposed to grievous delays and expenses at a time when they could least afford it, besides utterly frustrating plans which they may have formed for selling, or mortgaging.

Such defects may come to light, for instance, on any attempt to sell the land. It may be a defect in the title itself, which can be cured only by obtaining a further deed from some prior owner; or it may be a defect in the evidence whereby the title is sought to be proved, and in either case, to remedy the defect may be the means of causing such delay and expense that the whole object of effecting the proposed sale may be defeated; or it may be, that the service of a writ at the suit of some hostile claimant is the first intimation the unfortunate land-owner receives of there being anything wrong with his title; or it may be, the difficulty is first discovered on attempting to mortgage the land. No matter how the difficulty or defect may be made manifest, it is always a matter of unmitigated annoyance and expense to the owner.

Under the present system of tenure, and transfer, of land in Ontario, there are very few transactions where the title has to