

B I L L.

An Act requiring Mortgages of Personal Property in Upper Canada to be fyled.

BE it enacted, &c.

And it is hereby enacted by the authority of the same, That every Mortgage or conveyance intended to operate as a Mortgage of Goods and Chattels made after the passing of this Act, in Upper Canada, which shall not be accompanied by an immediate delivery and be followed by an actual and continued change of possession of the things mortgaged, shall be absolutely void as against the creditors of the mortgagor, and as against subsequent purchasers and mortgagees in good faith, unless the mortgage or a true copy thereof shall be fyled as directed in the succeeding section of this Act.

Mortgages of personals in Upper Canada made after the passing of this Act, to be void unless fyled as herein directed.

II. And be it enacted, That the instruments mentioned in the preceding section shall be fyled in the Office of the Clerk of the County Court of the County where the mortgagor therein, if a resident in Upper Canada, shall reside at the time of the execution thereof, and if not a resident, then in the Office of the Clerk of the County Court of the County where the property so mortgaged shall be at the time of the execution of such instrument; and such Clerks are hereby required to fyle all such instruments aforesaid presented to them respectively for that purpose, and to endorse thereon the time of receiving the same, and shall deposit the same in their respective offices to be kept there for the inspection of all persons interested.

Mortgages to be fyled in office of Clerk of County Court.