

An Act respecting the renewal of Registration, and certificates of Registration of Hypothecs, in Lower Canada.

WHEREAS the renewal of the Registration of Hypothecs at reasonable intervals of time, would tend to promote the efficiency of the Registration Laws of Lower Canada, and would greatly facilitate the granting of certificates of the charges registered against any property: Therefore Her Majesty, &c., enacts as follows:—

1. Subject to the exception hereinafter made,—the registration of every hypothec registered before the first day of January one thousand eight hundred and sixty-four, shall be renewed within ten years from the said day, and the registration of every hypothec registered on or after the said day shall be renewed within ten years from the date of its registration, and the registration of any hypothec which shall have been renewed, shall be again renewed within ten years after such renewal,—and in default of such renewal as aforesaid, the registration of such hypothec shall become of no effect: and the registrar shall not enter any hypothec of which the registration shall so become of no effect, in any certificate of the charges on any property to be thereafter given by him; And such renewal of registration shall be made in the manner provided by the forty-ninth section of chapter thirty-seven of the Consolidated Statutes for Lower Canada; and in any such renewal made after the seventy-fourth section of the said Act shall be in force in the County or Registration division in which such renewal is to be effected, the description of the property hypothecated shall be such as is required by the said section, otherwise the renewal shall be of no effect; Provided always, that such renewal of registration shall not be necessary to preserve the registered hypothec of a married woman on the property of her husband for dower, or of any minor or interdicted person, on the property of his tutor or curator as such; And provided also, that nothing herein contained shall affect the operation of section seventy-seven of the said Act or the obligation to renew the registration of any hypothec under the requirements of that section, but any hypothec of which the Registration has been renewed under that section shall be again registered anew within ten years after such renewal, otherwise the registration thereof shall be held, as aforesaid, to have become of no effect; Nothing in this section shall prevent the renewal of the registration of any hypothec of which the registration shall have become of no effect by reason of its non-renewal as aforesaid; but the hypothec of which the registration is so renewed, shall thereafter rank only from the date of such renewal.
- Registration to be renewed every ten years.*
- Otherwise to become of no effect*
- How renewed*
- Proviso.*
- Proviso.*
- As to renewal after the time limited.*