

An Act for quieting Titles to Real Estate in Upper Canada.

Preamble.

WHEREAS it is expedient to enable owners of land to have their titles or certain facts involved therein judicially investigated, and if established, to have the same conclusively declared to be so, with a view of quieting titles and of avoiding renewed and inconclusive investigations at every transfer or mortgage of the same land ;
 5 And whereas it is also expedient to make certain amendments to the Law in regard to the limitation of suits with a like view to the quieting of titles ; Her Majesty, &c., enacts as follows :

1. Any owner of an estate in fee simple in land in Upper Canada shall be entitled to have his title judicially investigated and the validity thereof ascertained and declared ; and he shall be so entitled whether his estate is legal or equitable, and whether subject to or free from any dower, leases, tenancies or other incumbrances.

Judicial investigation of title.

2. The investigation may be made by any Judge of the Court of Chancery on the application of the owner, or of any person with whom the owner has for valuable consideration agreed to obtain for such person an indefeasible title to or conveyance of the land under this Act.

By whom to be made.

3. A certificate by the Registrar of the said Court, according to the form given in Schedule A, of the application being made, shall be registered in the Registry Office of the County in which the land lies, before the certificate is granted.

Registry of application.

4. The application to the Judge shall be supported by the following particulars :—

How application must be supported.

1. The titles, deeds and evidences of title relating to the land that are in the possession or power of the owner.

2. A certified copy of all registered instruments affecting the land since the last judicial certificate (if any) under this Act was given.

3. The certificate of the Registrar of the County in which the land lies, as to registered judgments, suits in Chancery, Decrees, Rules and Orders for the payment of money.

4. An Affidavit or deposition by the owner or one of the Joint owners and a certificate of one of his Counsel or Solicitors, to the effect hereinafter respectively mentioned, unless the Judge sees fit, for some special reason, to dispense with the same respectively.

5. The Affidavit or Deposition of the owner, shall state that he is the legal and equitable (or the equitable) owner of the land in fee simple, to the best of his knowledge and belief, subject only to any dower, leases, tenancies and incumbrances to be set forth in the Affidavit or Deposition, or in a Schedule thereto, or that there is no dower, lease, tenancy or other incumbrance of or affecting the land ; that the deeds and evidences of title which he produces, and of which a Schedule may be annexed to the Affidavit or Deposition, are all the title deeds and evidences of title relating to the land that are in his possession or power, and that he is

What the affidavit or deposition of the owner must state.