

the same shall be filed under the seal of the Court, shall be received in evidence in all Courts, but only of the fact that such instrument or copy and statement was received and filed according to the endorsement of the Clerk thereon, and of no other fact; and in all cases the original endorsement by the Clerk made in pursuance of this Act, upon such instrument or copy, shall be received in evidence only of the fact stated in such endorsement.

X. This Act shall not apply to mortgages of vessels registered under the provisions of the Act passed in the eighth year of Her Majesty's Reign, and intituled, *An Act to secure the right of property in British Plantation vessels navigating the inland waters of this Province, and not registered under the Act of the Imperial Parliament of the United Kingdom, passed in the third and fourth years of the Reign of His late Majesty King William the Fourth, intituled, An Act for the registering of British vessels, and to facilitate transfers of the same, and to prevent the fraudulent assignment of any property in such vessels.*

Act not to apply to mortgages of vessels under 8 V. c. 5.

XI. On any writ, precept or warrant of execution against goods and chattels, it shall be lawful for the Sheriff or other officer to whom such writ, warrant or precept may be directed, to seize and sell the interest or equity of redemption in any goods and chattels of the party or parties against whom such writ may issue; and such sale shall be held to convey whatever interest the mortgager had in such goods and chattels at the time of such seizure.

Interest or equity of redemption may be sold in execution.

XII. For services under this Act the Clerks aforesaid shall be entitled to receive the following fees:—For filing each instrument and affidavit, and for entering the same in a book as aforesaid, one shilling and three pence; for searching for each paper, six pence; and for copies of any document, with certificate prepared, filed under this Act, six pence for every hundred words.

Fees for services under this Act.

XIII. All affidavits and affirmations required by this Act shall be taken and administered by any Judge or Commissioner of the Courts of Queen's Bench or Common Pleas, or Justice of the Peace in Upper Canada, and the sum of one shilling shall be paid for each and every oath thus administered.

Fees on affidavits.

XIV. The Act passed in the twelfth year of Her Majesty's Reign, chapter seventy-four, intituled, *An Act requiring mortgages of personal property in Upper Canada to be filed*, and the Act passed in the session held in the thirteenth and fourteenth years of Her Majesty's Reign, chapter sixty-two, intituled, *An Act to alter and amend the Act requiring mortgages of personal property in Upper Canada to be filed*, shall be and the same are hereby repealed; but all mortgages and sales registered under the provisions of the said Acts, or either of them, shall be held and

Acts 12 V. c. 74, and 13, 14 V. c. 62, repealed.

Saving acquired rights.