

Reviews and Notices of Books.

The Land Titles Act, being chapter 116 of the Revised Statutes of Ontario, 1887, with New Rules, Tariff of Fees, and References of Rules and Forms. Toronto: Warwick & Sons, 26 and 28 Front Street West. 1888.

The little volume before us is simply a separate print of "The Land Titles Act," as settled by the commissioners who revised the Statutes of 1887. Its issue in this form will be found a great convenience to the increasing numbers who are interested in lands under this Act, as the Master of Titles has taken occasion to append foot-notes, with references to the rules and forms. The Act has been, to a considerable extent, re-arranged, and a number of amendments made, some of which we think will be found to aid in the practical working of the system.

We notice that all the provisions showing the various classes of persons who can apply for first registration are now collected together, instead of some being found at the beginning and others at the end.

Under section 8 there is given to a mortgagee whose mortgage is in default, and who has a power of sale, the right to apply to have the owner of the equity of redemption registered under the Act as owner. Where titles are somewhat complicated there is no doubt this will be of great benefit, and is an improvement upon the former clause, which authorized a mortgagee to apply to have himself registered, as it shows the title in accordance with the fact, and gets rid of embarrassments which attended the old provision. By section 28, the objects for which a "charge" may be given are very considerably enlarged. Under the former Act the charge could only be made for securing the payment of a *sum of money*, payable at an appointed time. Now it can be given as a security for any purpose for which it is deemed advisable to give it. By section 55 the necessity of a caution to preserve a Mechanics' Lien has been abolished, and the ordinary procedure under the Mechanics' Lien Act adopted, a reference to the number of the parcel under which the land is registered being, however, required.

We also notice a very important provision respecting trusts. It is, of course, absolutely necessary, in accordance with the principles of the Torrens system, that no enquiry should be requisite in respect of the performance by a trustee of his duty, and in order to accomplish this it is provided in the English Act that there should not be entered on the registry, or be receivable by the Master of Titles, any notice of trust, express, implied or constructive. By section 85 of the revised Act, it is now declared that describing the owner of any land or charge as a trustee, whether the beneficiary, or object of the trust, is mentioned or not, shall not be deemed a notice of trust within the meaning of this provision, and that this description shall not impose upon any person dealing with such owner the duty of making any enquiry as to the power of the owner in respect to the