

certificate; and when no memorial of such deed or conveyance shall have been duly registered, then such deeds or conveyances shall be deemed and taken to be valid and effectual, both at law and in equity according to the  
 5 priority of time of execution.

And if none be registered.

V. And be it enacted, That it shall be lawful for the Chief Justices and Judges of the Court of Queen's Bench and of the Superior Court in Lower Canada and also for the Circuit Judges in that Section of the Province, to  
 10 administer the affidavit or declaration in writing mentioned and referred to in the tenth section of the said first recited Act, of the due execution of any deed, conveyance or will executed or published in Lower Canada.

Who may receive affidavits under the said Act in Lower Canada.

VI. And whereas by the fourteenth section of the said Act  
 15 it is enacted, That whenever any lands have been or shall be sold under Deed of Bargain and Sale, and such Deed hath been only registered or shall hereafter be recorded in the Registry Office of the County where such lands lie, the same shall be, and is hereby declared to be,  
 20 as good and valid a conveyance in law as if the same had been regularly enrolled; and whereas the effect of such clause may be to render doubtful the meaning of the forty-seventh section of the Act of the Parliament of the late Province of Upper Canada, passed in the Fourth  
 25 year of the Reign of his late Majesty King William the Fourth, Chaptered one, and intituled, "*An Act to amend the Law respecting Real Property, and to render the proceedings for recovering possession thereof in certain cases less difficult and expensive,*" by which it is enacted that  
 30 a Deed of Bargain and Sale of Land shall not be held to require enrolment or to require registration to supply the place of enrolment for the mere purpose of rendering such Bargain and Sale a valid and effectual conveyance for passing the land thereby intended to be bargained and  
 35 sold: Be it therefore enacted that the said fourteenth section of the said first mentioned Act shall be and the same is hereby repealed.

Sect. 14 of 9 V. c. 34 repealed.