

An Act to amend chapters thirty-six and thirty-seven of the Consolidated Statutes for Lower Canada, respecting the Registration of titles to or charges upon real estate, and the Act amending the same.

HER Majesty, by and with the advice and consent of the Legislative Preamble: Council and Assembly of Canada, enacts as follows :

1. Hereafter it shall not be necessary that any Registrar shall include in any certificate to be furnished by him under section forty-four of chapter thirty-seven, or under sections seven and eight and section thirty of chapter thirty-six of the Consolidated Statutes for Lower Canada, any statement of the hypothecs registered against the *auteur* of the party who owned the property at the commencement of the ten years next preceding the date of any title sought to be confirmed, or of the sale of the property by the Sheriff, or of its judicial adjudication under forced licitation; but in case any hypothec on the property the title to which is sought to be confirmed, or which has been sold by the Sheriff, or under forced licitation, shall have been renewed during the said period, the Registrar shall make mention in his certificate of the original registration.
- Registrar need not include hypothecs against auteurs in his certificate.
- But original-registration to be mentioned in cases of renewal.
2. The Registrar, for making entries of the discharge and extinction of the hypothecs on any property effected by any Sheriff's sale, sale in bankruptcy, judgment of confirmation of title or judicial adjudication under forced licitation, on the margin of the register against the entry of the hypothecs discharged, in accordance with the provisions of sections two and three of the Act twenty-fifth Victoria, chapter eleven, shall be entitled to demand for so doing a sum not exceeding if there be not more than six such entries to be made, and a further sum not exceeding for each further entry required to be made, and no more; and the Sheriff or Prothonotary for the duplicate or copy of any Deed of Sheriff's sale or confirmation of title or judicial adjudication under forced licitation, delivered by him to the purchaser or other person interested, shall be entitled to charge and no more.
- Fees of Registrar on entry of discharges limited.
- And for copy of Sheriff's deed, &c.
3. The fees allowed by the preceding section shall be subject to the provisions of section one hundred and six of chapter thirty-seven above cited, and shall only be in force until others are substituted therefor or other provisions made respecting them by the Governor, in virtue of the said section.
- Fees subject to order in Council.
4. It shall be the duty of any Notary upon executing any quittance or discharge of any hypothec, forthwith to deliver or forward by mail a copy thereof for the purpose of registration, to the Registrar of the proper registration division (and for such quittance or discharge the Notary shall be entitled to charge and no more,) and out of any moneys paid into his hands on the execution of the quittance or
- Notaries to send copies of quittance or discharge to Registrar.