

Form of certificate of title.

XXI. The Certificate of Title may be in the form contained in Schedule C to this Act, and shall be under the seal of the Court, and shall be signed by one of the Judges and by the Registrar of the Court, and the same and the Schedule (if any) thereto, shall be forthwith registered in full, both in the Court of Chancery, and in the books of the Registry Office of the County where the land lies, without any further proof thereof 5

Registry of certificate

XXII. A memorandum or certificate of the registration may be endorsed on the certificate of title or on any certified copy thereof thus :—  
 “Registered in Chancery. 1860. Book 10  
 , Page , A. G., Registrar.  
 Registered in the Registry Office for the County of , Book  
 , Page , (Date) Registrar,”  
 and a memorandum or certificate so signed shall be evidence of the registration mentioned therein. 15

Effect of certificate of title.

XXIII. The Certificate of Title when so sealed, signed and registered shall have the effect of making the title therein described, conclusive and indefeasible from the day of the date of the certificate, as regards Her Majesty and all persons whatever, subject only to any dower, leases, tenancies, easements and incumbrances mentioned in the Schedule thereto, and shall be conclusive evidence that every application, notice, publication, proceeding, consent and act whatsoever, which ought to have been made, given and done previously to the granting of the certificate, has been made, given, and done by the proper parties. 20

Certified copy of certificate to be evidence.

XXIV. After a Certificate of Title is duly registered, a copy of the Certificate, purporting to be signed and certified as such copy, by the Registrar in Chancery, or by the Registrar for the County in which the land lies, shall be admissible evidence of the Certificate for all purposes whatever, without further evidence of such copy, and without accounting for the non-production of the certificate. 25 30

Conveyance by the Court in case of Chancery sale.

XXV. In case of a Chancery sale, the Court of Chancery, if it thinks fit, may investigate the title with a view to granting an indefeasible title, and in that case, a Conveyance executed to the purchaser under the seal of the Court, and the hand of one or more of the Judges and of the Registrar of the Court and purporting to be under the authority of this Act, shall have the same conclusive effect as a certificate. 35

OR.

XXVI. The Conveyance may be in the form set forth in Schedule D to this Act.

When an indefeasible title is contracted for.

XXVII. Where a decree is made for the specific performance of a contract for the sale of an estate, and it is part of the contract that the vender shall have an indefeasible title, the Court shall make the like investigation, and the Conveyance shall be in the form and have the same effect as a Conveyance in other cases under this Act. 40

Right to judicial investigation of some fact, which may affect a title.

XXVIII. In case any person domiciled in Upper Canada, or claiming any real estate situate in Upper Canada, desires to establish, not his title to some specific property, but generally that he is the legitimate child of his parents, or that the marriage of his father and mother, or of his grandfather and grandmother, was a valid marriage, or that his own marriage was a valid marriage, or that he is the heir, or one of the co-heirs of any person deceased, or that he is a natural born sub- 50