

BRITISH  
COLUMBIA.

Unregistered conveyance, &c not to impart notice to third parties.

Lien, &c., when released to be satisfied of record.

Power not to be revoked until revocation is registered.

Revocation by death, insanity, &c, not to revoke until registration of an affidavit.

Registrar to register affidavit accordingly.

Original deed duly acknowledged may be read in evidence.

Certified copies of deeds to have the force of originals in certain cases.

Certificate of acknowledgment to be prima facie evidence.

Indices to be kept.

Registrar to make searches and to furnish certificates thereof.

Fees of office.

this Act, shall be delivered to a registrar, or in case of the registrar-general to him or his deputy registrar for registration, all persons shall be deemed to have notice of the contents and legal effect of such instrument.

24. No person, other than the actual parties thereto, shall be deemed to have notice of any instrument affecting real estate in the said Colony executed after the said 1st day of November 1861, unless the same be acknowledged or proved and certified, and registered pursuant to this Act, and every instrument hereafter made which shall not be acknowledged or proved, certified and registered pursuant to this Act, shall be void as against any subsequent purchaser or incumbrance of the same real estate who shall have registered the instrument under which his title as purchaser or incumbrance arises previously, provided always that nothing herein contained shall be construed to impair the power of the Court of Chancery to grant relief upon bill filed charging actual fraud or conspiracy.

25. Whenever any lien or incumbrance registered as aforesaid affecting any real estate shall be released, satisfied, or discharged, it shall be the duty of the person from whom such release, satisfaction, or discharge moves, to give to the person in whose favour the same is made an instrument in writing acknowledging the same to have been made, and such instrument shall be acknowledged or proved and certified as herein-before required.

And if any person whose duty it is to give such release, satisfaction, or discharge, refuses or neglects for the space of ten days after being thereto requested by the party entitled to the same to execute and acknowledge such instrument, he shall be liable to a like penalty of £20 as aforesaid to be levied in manner aforesaid, and also for all actual damages occasioned by such neglect or refusal.

26. No power of attorney when registered as required by this Act, shall be deemed to be revoked by any Act of the grantor thereof until the instrument containing such revocation acknowledged or proved and certified in the manner required by this Act shall be delivered for registration.

27. The death, insanity, bankruptcy, or insolvency of any maker of a power of attorney, or the marriage of any female maker of a power of attorney, shall not be deemed to revoke such power of attorney as far as any real estate in any district in British Columbia is concerned until an affidavit of such death, insanity, bankruptcy, or marriage shall have been served upon the Registrar-General or his deputy, and the Registrar of each district in which such real estate is situate.

28. It shall be the duty of every registrar or deputy registrar served with such affidavit, as last aforesaid, immediately to register the same in an affidavit book to be kept for that purpose, and to write on the pages of the register on which such power of attorney is registered, a note to the effect following "alleged to be revoked by" (death, insanity, &c., &c.), see registered affidavit (page affidavit book volume )

29. Every instrument which shall be acknowledged or proved and certified as in this Act prescribed may, together with the certificate of acknowledgment or proof, be read in evidence in all courts of law and equity without further proof of execution.

30. Copies of all instruments duly deposited for registration or registered in a registrar's office certified by the registrar, or in case of the Registrar-General's office by him or the Registrar-General's deputy to be full, true, and correct copies, may, in the absence of the original, and if produced by a party not having the control of the original, be read in evidence in all courts of law and equity without further proof.

31. The certificate of any officer authorized to take acknowledgments pursuant to this Act shall be prima facie evidence of the facts therein recited, but shall not be conclusive.

32. Each registrar shall form and keep indices in separate volumes, in such manner as to afford correct and easy reference to the several records of his office.

33. It shall be the duty of registrars, upon the application of any person set forth in distinct and specific terms in writing, to make searches for all instruments deposited and registered in his office, touching or affecting the real estate specified in such application, and to furnish a certificate of every such search, stating the names of the parties to such instruments, the dates thereof, the year, month, day, hour, and minute they were deposited or registered, and the book and page where they are registered.

34. For the official services rendered by the registrars they are hereby authorized and empowered to charge the following fees, viz. :—

For taking the acknowledgment or proof of any instrument which may by law be registered, for each signature of a party if more than one, four shillings, if only one signature eight shillings, including a certificate of acknowledgment of execution in both cases; for administering an oath, four shillings; for endorsing the time of depositing any instrument, and for noting the same in the record, and for endorsing the registration thereof upon every such instrument, two shillings; for registering any instrument, for every folio of one hundred words and figures therein, each and every figure to count as a word, three shillings, fractions of a folio to count as a folio; for making in the indices the several entries of instruments registered, required by law to be indexed, for every such instrument, two shillings and sixpence; for the use of the records for inspection and examination by persons desiring to inspect the same, for every such inspection and examination at one time, one shilling; for making certified copies of all instruments, matters, and things deposited, and of record in the office, the same fees as for registering instruments; for every subpoena, four shillings; for every official certificate, four shillings; for registering plans, maps, charts, surveys, diagrams, schedules, drawings, and other writings, matters, and things not herein enumerated and mentioned, and for making certified copies of any such, and for making searches, and for all other services not herein specified to be rendered by the registrars, such fees to be charged as may be agreed upon between them and the party requiring the performance of the same, and in case of difference the fees to be determined under the direction of the Judge of the Supreme Court, whose decision shall be final; for persons not connected with the office making for themselves transcripts or extracts from the records, no charge, but