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No. 271.

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2nd Session, 7th Parliament, 26 Victoria 1863.

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**BILL.**

An Act to amend Chapter 37 of the Consolidated Statutes for Lower Canada, respecting the Registration of titles or charges upon real estate, and the Acts amending it.

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Received and read 1st time, Wednesday,  
22nd April, 1863.  
Second reading, Thursday, 23rd April, 1863.

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**Mr. MONGENAIS.**

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**QUEBEC:**

PRINTED FOR THE CONTRACTORS BY HUNTER,  
ROSE & LEMIEUX, ST. URSULE STREET.

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

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

1. Hereafter it shall not be necessary that any Registrar shall include in any certificate to be furnished by him under Section 44 of Chapter 37, or under Sections 7 and 8 of Chapter 36 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. Registrar need not include hypothecs against auteurs:
- 10 2. The registrar, for making entries of the discharge and extinction of the hypothecs on any property affected 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 2 and 3 of the Act 25 Victoria Chapter 11 shall be entitled to demand for so doing a sum not exceeding Fees of Registrar on entrance of discharge limited. if there be not more than six inspections to be made, and a further sum not exceeding Fees subject to Order in Council. for each further entry required to be made, and no more.
- 15 3. The fees allowed by the preceding Section shall be subject to the provisions of Section 106 of Chapter 37 as above cited, and shall only be in force until others are substituted therefor or other provisions made respecting them by the Governor in Council, in virtue of the said Section. Fees subject to Order in Council.
- 25 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 Notaries to send copies of quittances or discharge, to registrar. and no more,) and out of Fee.
- 30 the moneys paid in on the execution of the *quittance* or discharge, the Notary shall retain an amount sufficient to pay for the cost of registration and transmission, unless the same be paid to him by either of the parties to the *quittance* or discharge.