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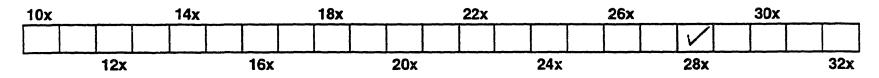
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2nd Session, 5th Parliament, 19 Victoria, 1856.

BILL.

An Act to provide in a more certain manner for order in Enregistration, and to facilitate Enregistrations and Searches in the Registry Offices of Lower Canada.

Received and read, first time, Monday, 10th March, 1856.

Second reading, Wednesday, 13th March, 1856.

Ma. PREVOST.

TORONTO:

No. 96.]

BILL.

[1856.

An Act to provide in a more certain manner for order in Enregistration, and to facilitate Enregistrations and Searches in the Registry Offices of Lower Canada.

HEREAS it is necessary to make provision for better ascertaining Preamble. the order of the deposit of documents in the Registry Offices of Lower Canada, and for facilitating Registrations and Searches in the said Offices : Her Majesty, by and with the advice and consent of the 5 Legislative Council and Assembly of Canada, enacts as follows:

I. The Minute or Day Book mentioned towards the end of the twentieth Minute Books section of the Registry Ordinance of one thousand eight hundred and to be authen-forty-one, shall, from and after the expiration of one hundred days from ticated. forty-one, shall, from and after the expiration of one hundred days from the passing of this Act, be authenticated in the manner required by the

- 10 nineteenth section of the said Ordinance with regard to the Registers used for registration, and the Registrars shall, besides the entries which they are bound to make in the said Minute or Day Book, enter in numerical order the documents which shall be delivered to them for registration; and they shall give to any person requiring the same on delivering any Acknowledg-
- 15 document for registration, and without demanding any fee therefor, an ment with acknowledgement stating the number under which such delivery is enter- number to be ed in the said Minute or Day Book. registration.

II. Registration may be made by means of extracts from Notarial Extracts of Instruments made in the manner prescribed by the tenth section of the Notarial In-20 Act for the organization of the Notarial Profession passed in the Session may be regisheld in the thirteenth and fourteenth years of Her Majesty's Reign, chap- tered. tered thirty-nine; and such registration shall have the same effect with respect to the extract as the registration of a copy of such instrument at full length, as prescribed by the fifth section of the Act concerning Regis-

25 tration passed in the seventh year of Her Majesty's Reign, chaptered twenty-two; the fee of the Registrar for the certificate endorsed on such Fees on such extract shall be that fixed by the first section of the Act relative to registration. Registration passed in the eighth year of Her Majesty's Reign, chaptered twenty-seven,-that is to say, one shilling and six pence currency.

III. It shall be lawful for any person who shall wish to make a search Searches may 30 in any of the said Offices to do so in the presence of the Registrar, on be made by the persons paying him one shilling for each such search which shall not last more applying for than half an hour, and one shilling more for each additional half hour, them, unless unless the Registrar shall himself prefer to make the said searches, in 35 which case he may demand two shillings currency for every person whose them. name shall be given to him; and the tariff of fees fixed by section fortyeight of the Registration Ordinance is hereby altered in respect of such charge: and in case no registration shall be found to be effected against the person whose name shall have been given to him, the Registrar shall Fees.

given to persons requiring

prefer making

A 91

Certificate.

Penalty on Registrars not complying with all relaw. How removeable.

As to memoby persons who cannot write.

be bound to give to any one applying to him therefor, a certificate to that effect, upon payment by the party requiring the same, of two shillings and six pence currency.

IV. Every Registrar shall, in the performance of his duties, comply $\mathbf{5}$ with all the requirements of this Act, as well as with those of all other Acts relating to the Registration of Deeds, under a penalty not exceedquirements of ing len pounds currency for the first contravention of such requirements and of removal from office for the second, without prejudice to damages payable to any party, which may be recovered as well as the penalty (with costs) before any Court having jurisdiction in civil matters to the 10 amount, by the party aggrieved by such contravention.

V. The signature under which any memorial shall be executed, may be rials executed written by the hand of any other person when the person requiring the registration of such memorial does not know how to write, provided his name be accompanied by his ordinary mark which he shall make in the 15 presence of the witnesses to the execution of the memorial; and this provision shall be held to have been the law from the time when the Registry Ordinance was brought into force.