
4th Session, 3rd Parliament, 14 & 15 Vic. 1851.

BILL.

An Act to declare that Bonds and other
Personal Securities to the Crown
shall constitute no Incumbrance upon
the Real Estates of parties thereto.

Received and read a first time, Wednesday, 25th
June, 1851.

Second reading, Monday, 30th June, 1851.

Hon. Mr. BOULTON.

BILL.

An Act to declare that Bonds and other Personal Securities to the Crown shall constitute no Incumbrance upon the Real Estates of parties thereto.

WHEREAS it is highly inexpedient that the Real Estate of persons who may have become indebted to the Crown by bond or other specialty, either as Principals or Sureties, should be bound from the date of such instruments for such debts, whenever the Government may be disposed to enforce their recovery, to the detriment and ruin of innocent purchasers who have no means of discovering such secret incumbrances : Be it therefore enacted, &c. Preamble.

10 That from and after the passing of this Act, no Lands, Tenements, Hereditaments or Real Estate of any nature whatever, shall be bound for any debt due to the Crown by bond or other specialty, unless the same shall have been duly described in the instrument creating such debt, and charged with the payment thereof, nor until such instrument shall have been duly registered in the County where the lands intended to be charged shall be situate. Bonds, &c. to the Crown not to charge lands unless specially mentioned therein, &c.

II. And be it enacted; That when any person who shall have become surety to the Crown for the due accounting for public moneys, or the proper performance of any public duty, it shall be lawful for such person when no longer disposed to continue such responsibility, to give notice thereof to his principal, and also to the Secretary of the Province, and that all accruing responsibility shall cease at the expiration of *twenty days* thereafter. How sureties may relieve themselves from further responsibility.