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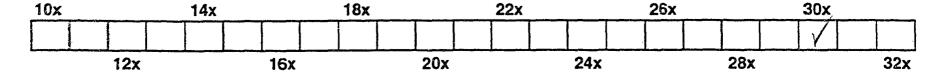
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No. 137.

1st Session 4th Parliament, 16 Victoriæ, 1852.

BILL.

An Act to amend the Registry Laws of Upper Canada.

Received and read first time, Thursday, 30th September, 1852.

Second reading, Tuesday, 5th Oct., 1852.

(450 Copies.)

Hon. Mr. Atty. Genl. RICHARDS.

S. Derbishire and G. Desbavats, Queen's Printer.

BILL.

An Act to amend the Registry Laws of Upper Canada.

THEREAS the recent changes in the Territorial Divi- Preamble. sions of Upper Canada, have rendered it necessary to make certain changes in the Registry Laws of that Section of 5 the Province: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament 10 of the United Kingdom of Great Britain and Ireland, and intituled, An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada, and it is hereby enacted by the authority of the same, That in every case where when any City, Town, Township, reputed Township or place, there-place is destroice making part of any County in Upper Canada, in and tached from for which a separate Registry Office is or shall be kept, has a County for been or shall be detached from such County and attached to purposes, the or become part of another County in and for which a separate Registry Books relations. Registry Office is or shall be kept, the Registry Book or Books relating the Registry Book or Books relating the for such City, Town, Township, reputed Township or shall be deplace under the provisions of the twenty-second section of the livered over to the Registry Act passed in the ninth year of Her Majesty's Reign, and intitate of the tuled, An Act to consolidate and amend the Registry Lane of County to tuled, An Act to consolidate and amend the Registry Laws of County to that part of this Province which was formerly Upper Canada, which such 25 shall be delivered by the Register of the County from which tached, 9 V. such City, Town, Township, reputed Township or place is or c 34. shall be detached, to the Register of the County to which the same is or shall be attached, to be kept by him among the Register Books of his office, and dealt with in all respects by him and his 30 successors in office in like manner as the Registry Books originally made and kept therein: Provided always, that a statement Proviso: of such titles of or relating to lands lying in such City, Town, be delivered Township, reputed Township or place, as may have been of titles regisregistered before separate Register Books were kept for each tered before 35 Township or place, under the authority of the said Act, shall be Books were furnished by the Register of the County from which such Town- kept for each ship or place shall have been detached, to the Register of the place. County to which the same shall have been attached, in the manner provided by the thirty-second section of the Act last 40 above cited.

II. And be it enacted, That no Register Book shall after the Register passing of this Act be furnished by the Secretary of the Province Books not to any Register in Upper Canada under the twenty-second be furnished hereafter by section of the Act hereinbefore recited, but whenever any Re- the Province, 45 gister shall require a new Register Book, the same shall be furbut by the nished to him by the Treasurer of the County on his application. therefor, and shall be paid for by such Treasurer out of the County Funds, and the Certificate now given by the Provincial

Secretary in and with regard to any such Register Book, or one to a similar effect, shall be given by the Judge of the County. Court having jurisdiction in such County, on the application of the Register, and such Certificate shall be in the form or to the effect in the Schedule to this Act annexed; and if such Trea- 5 surer shall refuse or neglect to furnish such book within thirty days after the application of the Register, the Register may provide the same, and recover the cost thereof from the Muni-Size and form cipality of the County. And such Register Books shall be as to be the same nearly as may be of the like size and description as those here-10 tofore furnished to Registers in Upper Canada by the Provincial Secretary under the said twenty-second section of the said

as at present.

sending a

Office.

Member, to

have a sepa-

rate Registry

Act. III. And be it enacted, That from and after the passing of Every County this Act, each County in Upper Canada, now entitled to re-15 turn a Member or Members of the Legislative Assembly to

represent such County in the Provincial Parliament, shall be also entitled to have a separate Registry Office for the registration of titles, and Registers shall be appointed accordingly.

When a deed, &c. relates to lands in several loonly one memorial need be furnished.

IV. And be it enacted, That when any Deed, Will or other 20 Instrument, shall embrace different lots or parcels of land situate in different localities in the same County, it shall only calities in the be necessary to furnish one Memorial of such Deed, and such same County, Memorial shall be copied into the Register Book for the City, Town, Township or place in which the different parcels or lots 25 of land are situate, so far only as it relates to the lands situate within such City, Town, Township or place respectively, and the Register shall make the necessary Entries and Certificates accordingly: Provided always, that only one Certificate of Registry shall be allowed or charged for, and that in counting 30 folios to be charged for, the marginal certificates, notes or references shall not be included.

Proviso.

Fees to be bereaster allowed to Registrars.

V. And be it enacted, That from and after the passing of this Act, every Register in Upper Canada shall be allowed the 35 following fees, and no more, that is to say:

For drawing Affidavit of Execution of Instrument and Memorial brought to be registered, if done by the Register or his Deputy, including swearing and all certificates thereof two shillings and six-pence.

For recording every Deed, Conveyance, Will, Power of Attorney or Agreement, including all necessary Entries and Certificates, six shillings and three-pence, but in case such Entries and Certificates exceed eight hundred words, at the rate of eight-pence for every additional hundred words.

For registering Certificate of Judgment two shillings and sixpence, satisfaction thereof two shillinge and six-pence.

For entering Certificate of Payment of Mortgage Money, including all Entries and Certificates thereof two shillings and six-pence.

5 Drawing Affidavit of the Execution thereof, including the swearing of the witness, when done by the Register or his Deputy two shillings and six-pence.

For searching Records relating to the title of any lot or parcel of land not exceeding four references one shilling and three-10 pence, and one shilling and three-pence for every additional four distinct references, and so in proportion for every number of searches made.

For every Extract furnished by the Register, including Certificate nine-pence for every one hundred words contained 15 in such Extract and Certificate.

VI. And be it enacted, That the sixteenth Section of the Sect. 16 of 9 said in part recited Act shall be, and the same is hereby re-V.c. 34, repealed.

VII. And be it enacted, That the word "County" in the Interpretation 20 foregoing provisions of this Act, shall mean any County or clause. union of Counties for which a Registry Office is or shall be required by law to be kept.

SCHEDULE.

Form of Certificate referred to in the second Section of this Act.

This Register contains pages, and is to be used in and for the (City, Town or Township of, as thecase may 25 be) in the County of for the Enregistration of Memorials, under the provisions of the Act of the Legislature of the Province of Canada, passed in the ninth year of Her Majesty's Reign, and intituled, An Act to consolidate and amend the Registry Laws of that part of this Province which was formerly Upper Canada, and of the Act of the said Legislature amending the same, and is provided in pursuance of the requirements of the said Statute.

Dated this day of in the year of Our Lord, one thousand eight hundred and fifty

Judge of the County Court of