

No .60.

1st Session, 5th Parliament, 18 Victoria, 1854.

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.

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MR. PREVOST.

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(60)

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BILL.

[No. 60.

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

WHEREAS it is necessary to make provision for better ascertaining the order of the deposit of documents in the Registry Offices of Lower Canada, and for facilitating Registrations and Searches in the said Offices: Be it therefore enacted, &c., as follows,—

Preamble.

5 1. The Minute or Day Book mentioned towards the end of the twentieth section of the Registry Ordinance of 1841, shall, from and after the expiration of days from the passing of this Act, be authenticated in the manner required by the nineteenth section of the said Ordinance with regard to the Registers used for registration, and the Registrars shall, besides 10 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 document for registration, and without demanding any fee therefor, an acknowledgment stating the number under which such deliv- 15 ry is entered in the said Minute or Day Book.

How documents delivered for registration shall be entered in the Minute or Day-book.

II. Registration may be made by means of extracts from Notarial Instruments made in the manner prescribed by the tenth section of the Act for the organization of the Notarial Profession passed in the Session held in the thirteenth and fourteenth years of Her Majesty's Reign, chaptered 39; and 20 such registration shall have the same effect as the registration of a copy of such instrument at full length, as prescribed by the fifth section of the Act concerning Registration passed in the seventh year of Her Majesty's Reign, chaptered 22; the fee of the Registrar for the certificate endorsed on such extract shall be that fixed by the first section of the Act relative to Regis- 25 tration passed in the ninth year of Her Majesty's Reign, chaptered 27,—that is to say, *one shilling and six pence* currency.

Registration may be made by extracts from deeds, &c.

III. It shall be lawful for any person who shall wish to make a search in any of the said Offices to do so in the presence of the Registrar, on paying him *one shilling* for each such search which shall not last more than half an 30 hour, and *one shilling* more for each additional half hour.

How Searches may be made Fees.

IV. Every Registrar shall, in the performance of his duties, comply 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 of for the first contravention of such requirements and of removal 35 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 amount, by the party aggrieved by such contravention.

Penalty on Registrars contravening the requirements of the Law.