

# Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below.

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured covers / Couverture de couleur
- Covers damaged / Couverture endommagée
- Covers restored and/or laminated / Couverture restaurée et/ou pelliculée
- Cover title missing / Le titre de couverture manque
- Coloured maps / Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black) / Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations / Planches et/ou illustrations en couleur
- Bound with other material / Relié avec d'autres documents
- Only edition available / Seule édition disponible
- Tight binding may cause shadows or distortion along interior margin / La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure.
- Blank leaves added during restorations may appear within the text. Whenever possible, these have been omitted from filming / Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.

- Coloured pages / Pages de couleur
- Pages damaged / Pages endommagées
- Pages restored and/or laminated / Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées
- Pages detached / Pages détachées
- Showthrough / Transparence
- Quality of print varies / Qualité inégale de l'impression
- Includes supplementary material / Comprend du matériel supplémentaire
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image / Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.
- Opposing pages with varying colouration or discolourations are filmed twice to ensure the best possible image / Les pages s'opposant ayant des colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image possible.

Additional comments / Commentaires supplémentaires: **Cover title page is bound in as last page in book but filmed as first page on fiche.**

This item is filmed at the reduction ratio checked below /  
Ce document est filmé au taux de réduction indiqué ci-dessous.

<b>10x</b>		<b>14x</b>		<b>18x</b>		<b>22x</b>		<b>26x</b>		<b>30x</b>	
	<b>12x</b>		<b>16x</b>		<b>20x</b>		<b>24x</b>		<b>28x</b>		<b>32x</b>

No. 51.

---

---

1st Session, 8th Parliament, 27 Victoria, 1863.

---

---

BILL.

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

---

Received and read first time Thursday,  
3rd September, 1863.  
Second reading, Monday, 7th September,  
1863.

---

Hon. Mr. CAUTIER.

---

QUEBEC:

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

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

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

1. Hereafter it shall not be necessary that any Registrar shall include in any certificate to be furnished by him under section forty-four of chapter thirty-seven, or under sections seven and eight and section thirty of chapter thirty-six 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, or of the sale of the property by the Sheriff, or of its judicial adjudication under forced licitation; but in case any hypothec on the property the title to which is sought to be confirmed, or which has been sold by the Sheriff, or under forced licitation, shall have been renewed during the said period, the Registrar shall make mention in his certificate of the original registration.
- Registrar need not include hypothecs against auteurs in his certificate.
- But original-registration to be mentioned in cases of renewal.
2. The Registrar, for making entries of the discharge and extinction of the hypothecs on any property effected 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 two and three of the Act twenty-fifth Victoria, chapter eleven, shall be entitled to demand for so doing a sum not exceeding if there be not more than six such entries to be made, and a further sum not exceeding for each further entry required to be made, and no more; and the Sheriff or Prothonotary for the duplicate or copy of any Deed of Sheriff's sale or confirmation of title or judicial adjudication under forced licitation, delivered by him to the purchaser or other person interested, shall be entitled to charge and no more.
- Fees of Registrar on entry of discharges limited.
- And for copy of Sheriff's deed, &c.
3. The fees allowed by the preceding section shall be subject to the provisions of section one hundred and six of chapter thirty-seven above cited, and shall only be in force until others are substituted therefor or other provisions made respecting them by the Governor, in virtue of the said section.
- Fees subject to order in Council.
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 and no more,) and out of any moneys paid into his hands on the execution of the quittance or
- Notaries to send copies of quittance or discharge to Registrar.

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.

How sect. 21, c. 37, Con. S. 1. U. C. shall be construed. 5  
 5. Section [twenty-one of chapter thirty-seven, above cited, shall hereafter be read and construed as though after the words "in Upper Canada," in the eighth line thereof, the following words were inserted, "or before a Justice of the Peace."