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No. 98.

4th Session, 8th Parliament, 29th Vic., 1865

BILL.

An Act to amend an Act respecting the Registration of Deeds and Instruments creating Debts to the Crown.

[No. 155 of 1865—1st Session.]

MR. MACFARLANE.

QUEBEC:
PRINTED BY HUNTER, ROSE & CO., ST.
VERGULE STREET.

An Act to amend an Act respecting the Registration of Deeds and Instruments creating debts to the Crown.

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

1. No deed, bond, contract or other instrument, under Seal or of Record, whereby any debt, obligation or duty is incurred or created to Her Majesty, shall be valid or sufficient to charge or affect any lands or any interest in lands of the person executing the same, or affected thereby as against any subsequent purchase or mortgage for valuable consideration of the said lands from such person, excepting only such lands as are specified in such deed, bond, contract or other instrument as being charged thereby, and unless a copy of such deed, bond, contract or other instrument, certified by the proper officer having the custody of the same, has been registered in the Registry Office of the county or counties or riding of a county where such lands are situated, before the execution of the deed, conveyance or agreement of such subsequent purchaser or mortgagee.
2. Upon production to the Registrar or Deputy Registrar of any county or counties or riding of a county, of a copy of such deed, bond, contract or other instrument so certified as aforesaid, he shall enter and register as against the particular lands thereby affected, a memorandum of the same in his registry books, which memorandum shall contain the names of the parties whose lands are affected by such bond, contract or other instrument, the nature of and amount of the debt and obligation, and the nature of the duty thereby incurred or created, and a description of the lands or interest in lands charged or affected thereby.
3. Upon any such lands being released from such charge under the third section of the said Act respecting the Registration of Deeds and Instruments creating Debts to the Crown, and upon the production of the order as therein mentioned, certified by the President or Clerk of the Executive Council, the Registrar of the county or counties or riding of a county shall enter and register the same in the register books of his office as a release of the lands mentioned in the order, and thereupon such lands shall be deemed and taken to be effectually released and discharged as against a subsequent purchaser or mortgagee of such lands.
4. The Registrar shall be entitled to demand and receive the following fees for the services aforesaid, that is to say: for registering every deed, bond, contract or other instrument in favor of the Crown or against any particular lands, the sum of one dollar; for registering every release or discharge thereof, the sum of one dollar.

No lands except those specified in the deed to be affected.

Deed or instrument to be registered.

Registrar to register deed on production of copy.

Release of such lands.

To be registered.

Registrar's fees.