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An Act to enforce the Registration of Titles to Lands in
the Townships of Lower Canada.

WHEREAS it is necessary that proprietors of lands in the Townships of Lower Canada should enregister their Titles to such lands, in order to facilitate the settlement of the said Townships, and for the better working of the Municipal and Road Laws; Therefore, Her Majesty, &c. enacts as follows:

Preamble.

I. Every person who, at the time this Act shall become law, shall hold letters patent or other titles conveying to him or his ancestor, predecessor or *auteur* from whom he derives the same, any land in the Townships of Lower Canada, of which he is not in the actual occupation, and which letters patent or other title shall not have been enregistered in conformity with the laws in force for the enregistration of titles to lands in Lower Canada, in the Registry Office of the County or division of County within which such land is situate, shall, within one year from the first day of January, 1856, cause such letters patent or other titles to such lands to be enregistered in the Registry Office for the County or division of County where such land is situate.

Titles to land not already registered to be registered before 1st January, 1857

II. Whenever any person shall claim to be the proprietor of such land by inheritance, descent or marriage, or otherwise than by letters patent or deeds of sale, or other conveyance granting and conveying the same to him in his own name, and his rights, interests and claims in and to such land are not disclosed by the letters patent, deeds or titles of the person or persons through whom he derives or claims to derive such land, such person shall, in addition to the enregistration of the titles of his immediate predecessor or predecessors from whom he claims to acquire such land, as required in the preceding section of this Act, within one year after the first day of January, 1856, make and cause to be enregistered in the Registry Office for the County or division of County within which such land is, a schedule signed by himself or his agent, containing his Christian and surname and place of residence, and a list of the lands within such County or division of County of which he claims to be the proprietor, which schedule shall also contain the name and residence of his Attorney or Agent, if any he has, and a brief statement of the name or names of the person or persons from whom and the deeds and documents by virtue of which he claims to be the proprietor of such land.

Claims of person deriving title otherwise than by Patent or Deed to be registered and how, and by what time.

III. In any action instituted to recover the possession of land in the Townships of Lower Canada subsequent to the first day of January, 1856, from any person holding the same *à titre de propriétaire*, if it shall appear that the proprietor suing for possession, or his *auteur* or *auteurs*, was or were, at the time of the passing of this Act, seized of such land and shall

In actions for possession of land after 1st January, 1856, if the title has not been

registered as
aforesaid, the
possessor
shall be dealt
with as if he
held under a
title and *bona
fide*.

have failed to enregister his or their title thereto, and the schedule referred to in the preceding section of this Act where the nature of the titles require such schedule, prior to the first day of January, 1856, as required in the first and second sections of this Act, the possessor of such land shall be entitled to all the benefits, privileges and immunities of a possessor in good faith under title, and shall be entitled to plead, and have the benefits of prescription, in the same manner as if his occupation were under title acquired for valuable consideration in good faith; and if the title of the Plaintiff in such actions is maintained, the defendant shall be entitled to enforce his claim for compensation for betterments in all respects as if he were a possessor under title in good faith and had purchased such land for valuable consideration.

Minors, &c., to
have one year
after they
become capa-
ble of exercis-
ing their
rights to re-
gister titles,
&c.

IV. Nothing in this Act contained shall extend or be construed to extend to prejudice the rights of minors or persons incapable of exercising their rights, who shall be bound within one year after the time that such minors shall have attained the age of majority or shall have become capable of exercising their rights, to conform to the provisions of this Act, and cause all letters patent and other titles by which they hold land in the Townships of Lower Canada, and schedules as stated in the second section of this Act, when such schedule is necessary to be duly enregistered as hereinbefore prescribed, and in default thereof, all occupiers *à titre de propriétaire* of such lands after the expiration of the said period of one year after such proprietors shall become capable of exercising their rights, shall be held and considered and treated in all legal proceedings against them as possessors in good faith by title for valuable consideration.

Penalty on
persons fail-
ing to register
titles, &c., as
required by
this Act.

V. Any person who shall at the time this Act shall become law, be seized of lands in the Townships of Lower Canada, as proprietor thereof, and shall not then be in the actual personal occupation thereof, who shall fail and neglect to cause his title or titles to such lands, and schedules relating thereto, whenever such schedules are rendered necessary to be enregistered in conformity with the provisions of first and second sections of this Act, shall forfeit and pay for such neglect and failure the penalty of one hundred pounds currency, one half whereof shall be payable to the person suing therefor, and the other half to the County Municipality within which such lands are situate.

Recovery of
penalty.

VI. The penalty mentioned in the next preceding section of this Act, may be sued for and recovered by any person who chooses to sue for the same, as well in his own name as in the name of the Municipality of the County within which such land is situate, in any Court of competent jurisdiction in Lower Canada.

Extent of Act.

VII. This Act shall apply only to Lower Canada.