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No. 25.

2nd Session, 3rd Parliament, 12 Victoria, 1849.

BILL.

An Act to amend the Registry Law of
Upper Canada.

Received and Read a first time, Monday, 29th
January, 1849.

Second Reading, Monday, 5th February, 1849.

Mr. SMITH (of Frontenac.)

~~PRINTED BY...~~

BILL.

An Act to amend the Registry Law of
Upper Canada.

WHEREAS at the time of the passing ^{Preamble.}
of the Provincial Act hereinafter men-
tioned, the Act of the Parliament of the United
Kingdom also hereinafter mentioned, was
5 in force as part of the Law of England, and
it was the intention of the Provincial Legis-
lature that any judgment certified and regis-
tered in the manner provided in and by the
thirteenth section of the said Provincial Act,
10 should bind the like lands and estates of the
party against whom such judgment should
have been rendered, and to the like extent
and with the like effect as was then provided
by the Law of England with regard to judg-
15 ments as to which all the requirements of the
Law had been complied with, that is to say,
which had been docketted and entered in
the manner provided by the said Imperial
Act, which should have been mentioned and
20 referred to in the said Provincial Act; For
remedying such omission, be it declared and
enacted, &c.

And it is hereby declared and enacted by the
authority of the same, That the true intent
25 and meaning of the thirteenth section of the
Act of the Legislature of this Province 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
30 Province which was formerly Upper Ca-
nada,*" was and is and shall be construed
to have been, that any judgment certified
and registered in the manner provided by
the said thirteenth section, should and shall
35 affect and bind the like lands, tenements,
hereditaments and estates, present or future,

Meaning of
13th section of
Act 9 Vict. c.
34, explained.

in possession, remainder, reversion or expectancy of the party against whom such judgment was rendered, as would in England be bound by a judgment of any of Her Majesty's Superior Courts at Westminster, whereof 5 and with regard to which a minute or memorandum had been left with and entered by the Senior Master of the Court of Common Pleas at Westminster, in the manner required by the Act of the Parliament of the United 10 Kingdom passed in the Session held in the first and second years of Her Majesty's Reign, and intituled, "*An Act for abolishing* 15 "*arrest on mesne process in Civil Actions, except in certain cases; for extending the* 15 "*remedies of Creditors against the property of debtors; and for amending the Laws for the relief of insolvent debtors in England,*" and should and shall entitle the judgment creditor to the like remedies, subject to the 20 like provisions, as the judgment creditor in England would have under the provisions of the Act last cited, subject always to the proviso contained in the said thirteenth 25 section of the said Provincial Act: Provided always, that nothing herein contained shall be construed to extend to judgments registered under the said Provincial Act, the provisions of any Act of the Parliament of the United Kingdom other than that hereinbe- 30 fore cited.

Imperial Act,
1 and 2 Vict.,
c. 110, cited.

Proviso.