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No. 18.

1st Session, 6th Parliament, 21 Victoria, 1858.

BILL.

(CORRECTED COPY.)

An Act to amend the Ordinance to prescribe and regulate the registering of titles to lands, tenements and hereditaments, real or immovable estates, and of charges and incumbrances on the same, and for the alteration and improvement of the law in certain particulars in relation to the alienation and hypothecation of real estates, and the rights and interest acquired therein.

Received and read, first time, Friday, 9th April,
1858.

Second reading, Thursday, 15th April, 1858.

MR. CIMON.

TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to amend the Ordinance to prescribe and regulate the registering of titles to lands, tenements, and hereditaments, real or immovable estates, and of charges and incumbrances on the same, and for the alteration and improvement of the law in certain particulars in relation to the alienation and hypothecation of real estate, and the rights and interest acquired therein.

WHEREAS it has become necessary for the convenience of the Preamble.
localities hereinafter mentioned, to detach the County of Saguenay from the County of Chicoutimi and to annex it to the County of Charlevoix for all purposes of registration of deeds in relation to the
5 alienation and hypothecation of real estate, and to form Saguenay into two registration divisions out of the said Counties of Saguenay and Charlevoix ; Therefore Her Majesty, &c., enacts as follows :

I. The County of Saguenay shall, for the purposes of registration, be
detached from the County of Chicoutimi, which shall thereafter form a
10 a registration division by itself. Saguenay detached from Chicoutimi.

II. The County of Saguenay and the Parishes of St. Etienne de la Malbaie, St. Agnes, St. Irénée, and St. Fidèle, and the Townships of Calliere and Desaires, shall constitute a registration division to be called
15 and the registry office of the said division shall be held in the Parish of St. Etienne de la Malbaie. First registration division of Charlevoix and Saguenay.

III. The remaining portion of the said County of Charlevoix shall
form a second registration division, which shall be known as the second
20 registration division of the Counties of Charlevoix and Saguenay, and the registry office of the said division shall be held in the Parishes of St. Peter and St. Paul, called Baie St. Paul, shall be the Registry Office of the said division. Second division.

IV. The books and records, instruments and documents relating to
the registration of titles in the County of Charlevoix effected before this
25 Act shall come into force, shall be deposited in the office of the registrar for the first division, who is hereby authorised to receive the same, and to make searches, deliver copies, extracts and certificates thereof or therefrom according to law, which shall be of the same validity and effect as if the said books and records had been originally
30 registered in the said office. Records of the registry office of Charlevoix to be deposited in the said first division.

Transcripts of certain documents affecting lands in either of the said divisions to be furnished to the Registrar thereof on payment of certain fees, &c.

V. Whenever the Municipal Council of the County in which the registry office of either of the said new registration districts is situated, shall have provided funds for the paying the necessary expenses, such council may require any Registrar in whose office there shall be registered any deed, instrument or document affecting real property in such new registration district, to furnish copies thereof to the Registrar of such new registration district, with copies of all entries relative thereto, or such abstract of such registered documents as may be desired, certified by such other Registrar and fairly transcribed in properly bound books to be furnished by the Municipality, the said copies to be paid for out of the funds furnished as aforesaid at the rate of four pence currency for every hundred words or such other rate as the Registrar furnishing the same and such Municipal Council may agree upon:—And the Registrar of such new registration division may and shall thereafter grant copies of or extracts from, or make searches and grant certificates, and perform all other official acts with respect to such deeds, instruments, documents or entries, as he might do and would be bound to do if the same had been originally registered and made in his registry office, and may demand and take the like fees therefrom:—And such copies, extracts, certificates and Acts shall *prima facie* avail for all purposes as if granted and performed by the Registrar having the custody of the original books, entries and documents to which they relate, saving the right to prove error therein, and the recourse of all parties against such other Registrar as aforesaid, if the error be in the copies furnished by him to the Registrar of such new registration division under this Act.

Act not to prevent the effect of 18 V. c. 99.

VI. Nothing herein contained shall impair the effect of the Act passed in the eighteenth year of Her Majesty's reign, intituled "*An Act to establish a Registry Office in and for each Electoral County in Lower Canada,*" or shall prevent either of the Counties of Saguenay and Charlevoix or Chicoutimi from becoming a registration County under the provisions of the said Act.

Inconsistent provisions of 12 V., c. 131, &c., repealed.

VII. So much of the Act passed in the twelfth year of Her Majesty's Reign, and intituled "*An Act to divide the County of Saguenay into two divisions for the registration of deeds,*" or of any other Act or law as may be inconsistent with this Act is hereby repealed.

Commencement of Act.

VIII. This Act shall have force and effect upon, from and after the first day of October next.

Interpretation.

IX. The Interpretation Act shall apply to this Act.

Public Act.

X. This Act shall be deemed a public Act.