

The Provincial Statutes of Lower-Canada, Being the second session of the fifteenth Provincial Parliament of Lower-Canada. Quebec: John Carleton Fisher & William Kemble, Law Printer to the King's Most Excellent Majesty, 1836.

6 William IV – Chapter 53

An Act to make further provision for the security of Titles to Real Property in the Inferior District of Gaspé, and to repeal two Acts therein-mentioned. (21st March, 1836.)

Whereas doubts have arisen respecting the legal effect of the adjudication entered in the Register kept by the Registrar of Commissioners appointed by virtue of an Act passed in the fifty-ninth year of the Reign of His Majesty King George the Third, chapter three, intituled, "An Act to secure the Inhabitants of the Inferior District of Gaspé in the possession and enjoyment of their lands," and of the officially certified copies of such entries: And whereas it would be of advantage to the Inhabitants of the said District, that the said adjudications should be deposited of record in the Office of the Provincial Court of the said District: And whereas it is also expedient to repeal this Act above cited, and a certain other Act passed for a like purpose in the first year of the Reign of His present Majesty, Chapter twenty-three, intituled, "An Act to make more effectual provision for the security of Titles to the real property in the Inferior District of Gaspé;"—Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America;' And to make further provision for the Government of the said Province"; and it is hereby enacted by the authority of the same, that the Act passed in the fifty-ninth year of the Reign of His Majesty King George the Third, Chapter three, intituled, "An Act to secure the Inhabitants of the Inferior District of Gaspé in the possession and enjoyment of their lands," and the Act passed in the first year of His present Majesty's Reign, Chapter twenty-three, intituled, "An Act to make more effectual provision for the security of Titles to Real Property in the Inferior District of Gaspé," shall be and they are hereby repealed.

II. And it is further declared and enacted by the authority aforesaid, that all adjudications entered in such Registers, and officially certified copies thereof, made or certified under the authority of the said Act passed in the fifty-ninth year of the Reign of His Majesty King George the Third, chapter three, intituled, "An Act to secure the Inhabitants of the Inferior District of Gaspé in possession and enjoyment of their lands," or under the authority of an Act passed in the first year of the Reign of His present Majesty, Chapter twenty-three, intituled, "An Act to make more effectual provision for the security of Titles to Real Property in the Inferior District of Gaspé," shall be deemed and taken to be, and shall to all intents and purposes in Law, have the effect of grants from His Majesty, of each and every tract, lot or parcel of land mentioned and set forth in the same, and of which possession shall have

been taken or maintained by virtue of any entry in such Register, and shall vest in the person and persons respectively holding by virtue of such adjudication the fee simple of such tract, lot or parcel of land, and shall accordingly be so held and considered by all Judges and Justices of any of His Majesty's Courts in this Province.

III. And be it further enacted by the authority aforesaid, that a duplicate of the Registers kept by the Commissioners appointed under the authority of the Act above cited, passed in the fifty-ninth year of the Reign of His Majesty King George the Third, shall immediately after the passing of this Act, be deposited by the officer or person in whose possession the same shall be, at the office of the Clerk of the Provincial Court of the said Inferior District of Gaspe; and the said Clerk shall deliver, duly certified, copies of all adjudications entered in the said Registers, to any party interested therein, who shall demand the same, and the copies so certified, and no others, shall be held and considered in all Courts of Law in which they shall be produced in evidence, as being authentic copies of such adjudications, according to the true intent and meaning of this Act; and for each such copy the said Clerk shall be entitled to demand and receive the sum of two shillings and six pence currency, and no more.

IV. Provided always and be it further enacted by the authority aforesaid, that the original Register kept by the said Commissioners, which, by the said last mentioned Act was required to be deposited in the office of His Majesty's Executive Council of this Province, shall be and remain in the said office, and all and every person and persons shall and may as often as they require, have access to the same, and obtain copies or extracts therefrom in the manner and on payment of the fees established and allowed therefor by the said Act, to the Clerk of the Executive Council, any thing in this Act contained to the contrary notwithstanding.

V. And be it further enacted by the authority aforesaid, that this Act shall be deemed and considered as a public Act, and as such shall judicially be taken notice of by all Judges, Justices of the Peace, and others whom it may concern, without being specially pleaded.