

C A P . X V .

An Act to provide in a more certain manner for order in Enregistration, and to facilitate Enregistrations and Searches in the Registry Offices of Lower Canada.

[Assented to 16th May, 1856.]

WHEREAS it is necessary to make provision for better Preamble. ascertaining the order of the deposit of documents in the Registry Offices of Lower Canada, and for facilitating Registrations and Searches in the said Offices: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

I. The Minute or Day Book mentioned towards the end of the twentieth section of the Registry Ordinance of one thousand eight hundred and forty-one, shall, from and after the expiration of one year from the passing of this Act, be authenticated in the manner required by the nineteenth section of the said Ordinance with regard to the Registers used for registration, and the Registrars shall make the entries which they are bound to make in the said Minute or Day Book, in the numerical order of the documents which shall be delivered to them for registration, and shall state in each entry the number given to the document to which it relates; and they shall give to any person requiring the same on delivering any document for registration, and without demanding any fee therefor, an acknowledgment stating the number under which such delivery is entered in the said Minute or Day Book. Minute or Day Book to be authenticated as provided by section 19 of 4 V. c. 30. Entries to be made in numerical order. Acknowledgment to be given.

II. Registration may be made by means of extracts from Notarial Instruments made in the manner prescribed by the tenth section of the Act for the organization of the Notarial Profession passed in the Session held in the thirteenth and fourteenth years of Her Majesty's Reign, chaptered thirty-nine; and such registration shall have the same effect with respect to the extract as the registration of a copy of such instrument at full length, as prescribed by the fifth section of the Act concerning Registration passed in the seventh year of Her Majesty's Reign, chaptered twenty-two; the fee of the Registrar for the certificate endorsed on such extract shall be that fixed by the first section of the Act relative to Registration passed in the eighth year of Her Majesty's Reign, chaptered twenty-seven, that is to say, one shilling and six pence currency. Registration may be made by extracts certified under 13 & 14 V. c. 39, s. 10. Fee.

III. Every Registrar shall, in the performance of his duties, comply with all the requirements of this Act, as well as with those of all other Acts relating to the Registration of Deeds, under a penalty not exceeding ten pounds currency for every contravention of such requirements, without prejudice to damages payable to any party, which may be recovered as well as the penalty. Penalty for non compliance with this Act.

penalty (with costs) before any Court having jurisdiction in civil matters to the amount, by the party aggrieved by such contravention.

Signature of memorial when the memorialist does not know how to write.

IV. The signature under which any memorial shall be executed, may be written by the hand of any other person when the person requiring the registration of such memorial does not know how to write, provided his name be accompanied by his ordinary mark which he shall make in the presence of the witnesses to the execution of the memorial; and this provision shall be held to have been the law from the time when the Registry Ordinance was brought into force.

## C A P . X V I .

An Act to amend the Provincial Act appropriating the moneys arising from the Clergy Reserves.

[Assented to 16th May, 1856.]

Preamble.

18 V. c. 2.

**W**HEREAS it is expedient to amend the Act passed in the eighteenth year of Her Majesty's Reign, intituled, *An Act to make better provision for the appropriation of moneys arising from the lands heretofore known as the Clergy Reserves, by rendering them available for Municipal purposes*: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

How the unappropriated balance of the U. C. Municipalities Fund shall be appropriated yearly.

I. The amount of "The Upper Canada Municipalities Fund," remaining unexpended and unappropriated under the provisions of the first, second, third and fourth sections of the said Act, on the thirty-first day of December, in the year one thousand eight hundred and fifty-five, and on the same day in each year after the passing of this Act shall, by the Receiver General, be apportioned equally among the several City, Town, Incorporated Village and Township Municipalities in Upper Canada, in proportion to the number of Rate-payers that shall appear on the Assessment Rolls of such Municipalities for the year next before the time of such apportionment.

Clerks of Municipalities in U. C. to make certain returns yearly to the Receiver General.

II. It shall be the duty of the Clerks of the several Cities, Towns, Incorporated Villages and Townships in Upper Canada, on or before the first day of July next after the passing of this Act, to transmit to the Receiver General a true Return of the number of Rate-payers appearing on the said several Assessment Rolls for the year one thousand eight hundred and fifty-five, and on or before the first day of December in each year thereafter to transmit to the Receiver General a similar Return for the year in which such Return shall be made, and to make an affidavit, to be written on each of the said Returns, and