

The Provincial Statutes of Canada, passed in the year 1842. Kingston: Stewart Derbshire & George Desbarats, 1842.

6 Victoria – Chapter 15

An Act to extend the time allowed by the Ordinance therein mentioned for the Registration of certain charges or incumbrances on Real Estates, and to repeal certain parts thereof. 12th October, 1842.

Whereas it is expedient to extend the period allowed for the Registration of certain instruments therein mentioned by the fourth Section of the Ordinance of the Governor and Special Council of the late Province of Lower Canada, passed in the fourth year of Her Majesty's Reign and intituled, *An Ordinance to prescribe and regulate the Registering of Titles to Lands, Tenements and Hereditaments, Real and immoveable Estates, and of charges or incumbrances on the same, and for the alteration and improvement of the Law in certain particulars relating to the alienation and Hypothecation of Real Estates, and the rights and interest acquired therein*; Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council, and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled, *An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that the period limited by the said fourth Section of the Ordinance cited in the Preamble to this Act, for the registering of memorials of the instruments, documents and claims therein mentioned, shall be and is hereby extended until the thirty first day of December in the year of Our Lord one thousand eight hundred and forty three, until and upon which day memorials of all such instruments, documents and claims may be registered with the same effect as if they had been registered within twelve calendar months from and after the day on which the said Ordinance came into force and effect, any thing in the said Ordinance to the contrary notwithstanding: Provided always, that any such instrument, document or claim whereof a memorial shall not be registered in the manner required by the said Ordinance upon or before the said thirty first day of December, one thousand eight hundred and forty three, shall from and after the said day be inoperative, void and of no effect whatever against any subsequent *bonâ fide* purchaser, grantee, mortgagee, hypothecary or privileged creditor, or incumbrancer for or upon valuable consideration, a memorial of whose claim shall have been registered before the registration of a memorial of such instrument, document, or claim, as first aforesaid.

II. Provided always, and be it enacted, that it shall not be necessary to register any memorial for arrears of *Cens et Rentes* or *Lods et Ventes* due to the Seignior [Seigneur] or Lord of the fee, or for preserving the right of *Retrait Conventionel*, or all other Seigniorial services, *servitudes*, reservations, rights or dues, either legal or conventional, and so much of the said Ordinance as requires any such registration, is hereby repealed.