

Laws of Her Majesty's Province of United Canada, passed in the year 1847. Montreal:
Stewart Derbishire & George Desbarats, 1847.

10 & 11 Victoria – Chapter 38

An Act to alter and amend an Act, intituled, *An Act to remedy certain defects in the Registration of Titles in the County of Hastings, in Upper Canada*. 9th July, 1847.

Whereas an Act was passed in the last Session of the Provincial Parliament, intituled, *An Act to remedy certain defects in the Registration of Titles in the County of Hastings, in Upper Canada*, but the said Act by the terms thereof is applicable only to defects in such registration arising out of the neglect of Robert Charles Archibald McLean, when Deputy Registrar of the said County; and whereas it appears that like defects have occurred in other cases through the neglect of Robert Smith when Deputy Registrar of the said County, and it is expedient to extend the remedial provisions of the said Act to such cases, and also to extend the period limited by the sixth section of the said Act for the doing of certain things by the Registrar or his Deputy: 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, and 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 it shall be the duty of the Registrar of the said County, either by himself or his Deputy, to cause to be inserted, not less than twice in each month for the three months next after the passing of this Act, in the Canada Gazette, and in all the newspapers published in the said County, a notice calling upon all persons who may have any deeds, conveyances, wills or probates on which a Certificate of Registry has been endorsed and signed by the said Robert Charles Archibald McLean, and not having been produced under the Act aforesaid, or by the said Robert Smith as Deputy Registrar of the said County, to produce such deeds, conveyances, wills or probates, together with a memorial thereof in the form now required by law, (except that such memorial need not be signed or sealed by any person,) on which memorial shall be endorsed a true copy of the Certificate on the deed, conveyance, will or probate to which it relates, on or before the first day of January next, at the Office of the Registrar of the said County, or they will not be entitled to the protection or benefit of this Act and of the Act aforesaid.

II. And be it enacted, That if the signature of the said Robert Smith and the truth of the copy of the Certificate endorsed on any memorial to be produced to the Registrar or his Deputy as aforesaid, shall be proved in the manner required by the Act cited in the preamble to this Act with regard to Certificates granted by Robert Charles Archibald McLean, then all the provisions of this Act shall extend to such Certificate granted by the said Robert Smith, and to the memorial on which it shall be endorsed, and to the deed, conveyance, will or probate, to which it shall relate, in the same manner and with the same and no other effect as to the Certificates of the said Robert Archibald McLean, the memorials on which they are endorsed, and the deeds, conveyances, wills or probates to which they relate; and the Registrar or his Deputy shall have the same rights and duties with regard to them, and be subject to the same penalties for neglect of such duties.

III. And be it enacted, That it shall not be lawful for the said Registrar or his Deputy to receive and index any memorial under the authority of this Act, or to indorse any deed, conveyance, will or probate to which such memorial relates, after the said first day of January next.

IV. And be it enacted, That the period limited by the sixth section of the said Act, as that within which it shall be lawful for the said Registrar or his Deputy to receive and index memorials, and to endorse any deeds, conveyance, will or probate by virtue of the said Act, shall be and is hereby extended until the said first day of January next, as if the said day had been that mentioned in the said section: Provided always, that the Governor or Person administering the Government of this Province, may, if he deem it expedient, by an Order to be made with the advice of the Executive Council thereof, and published in the Canada Gazette, extend the time hereby limited, and the time limited for the like purpose by the Act aforesaid, to the first day of July, one thousand eight hundred and forty-eight, and no longer; of which extension the Registrar or his Deputy shall give notice in the manner required by the first section of the said Act, and of this Act respectively.