

*Laws of Her Majesty's Province of United Canada*, passed in the year 1851. Quebec: Stewart Derbyshire and George Desbarts, 1852.

16 Victoria – Chapter 121

**An Act to amend an Act of the Legislature of Upper Canada, passed in the fourth year of the Reign of His late Majesty King William the Fourth, and intituled, *An Act to amend the law respecting Real Property, and to render the proceedings for recovering possession thereof in certain cases, less difficult and expensive*. Assented to 23rd May, 1853.**

Whereas doubts have been entertained as to the effect of a certain Act of the Parliament of the late Province of Upper Canada, passed in the fourth year of the Reign of His late Majesty King William the Fourth, intituled, *An Act to amend the law respecting Real Property, and to render the proceedings for recovering possession thereof in certain cases, less difficult and expensive*, so far as the same relates to Mortgages, and it is expedient that such doubts should be removed: Be it therefore declared and 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 and may be lawful for any person entitled to or claiming under any Mortgage of Land, being Land within the definition contained in the fifty-ninth Section of the Act cited in the Preamble to this Act, to make an Entry or bring an Action at Law or Suit in Equity to recover such Land, at any time within twenty years next after the last payment of any part of the principal money or interest secured by such Mortgage, although more than twenty years may have elapsed since the time at which the right to make such Entry, or bring such Action or Suit in Equity, shall have first accrued; Provided always, that this Act shall not be held to affect any title, possession, interest or case which may be in litigation at the time of the passing of this Act; any thing in the said Act to the contrary notwithstanding.