

Laws of Her Majesty's Province of United Canada, passed in the year 1854. Quebec: Stewart Derbishire and George Desbarts, 1854.

18 Victoria – Chapter 101

An Act to abolish the publication in Courts of Justice in Lower Canada of Acts containing substitutions, and to provide for their Registration in the Registry Offices. Assented to 30th May, 1855.

Whereas the reading and publication of Acts of Donation, Wills and other Acts containing substitutions, in the Courts of Civil Jurisdiction in Lower Canada, is a useless formality, and it is expedient to substitute the registration of the said Acts in the Registry Offices, in the stead of their insinuation in the Registers of the Courts: 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, as follows:

- I. From and after the passing of this Act, such reading and publication, in the said Courts of Civil Jurisdiction in Lower Canada, of Acts containing substitutions, is, and shall be abolished, and the insinuation or transcription thereof in the Registers of the Courts is and shall be also abolished; any law, usage or custom to the contrary notwithstanding.
- II. The registration of the said Acts in the Registry Offices for the locality within the limits of which the immoveables substituted shall be situate, and in case of substitution created by Act of Donation *à cause de mort*, if the domicile of the testator be situate within the limits of a Registration Division, other than that in which the property substituted, is situate, the additional registration in the Registry Office for the locality within the limits of which, the domicile of the said Testator was or shall be situate, shall be equivalent, for ail purposes of law to the insinuation or transcription in the Registers of the Courts accompanied by reading and publication in open Court. The delays for registration shall be the same as those established by law for the transcription and the publication in Court, and no legal provision having reference to substitutions not specially repealed, shall be affected by this Act, the sole object of which is to substitute the formality of registration in the Registry Offices for transcription and publication in the Courts of Acts containing substitutions.
- III. This Act shall apply to Lower Canada only.