

Laws of Her Majesty's Province of United Canada, passed in the year 1856. Quebec: Stewart Derbyshire and George Desbarts, 1856.

20 Victoria – Chapter 15

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 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 one therefor, an acknowledgment stating the number under which such delivery is entered in the said Minute or Day Book.
- 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.
- 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 (with costs) before any Court having jurisdiction in civil matters to the amount, by the party aggrieved by such contravention.
- 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

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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.