



BRITISH COLUMBIA.

ANNO TRICESIMO TERTIO.

VICTORIÆ REGINÆ.

No. 17.

An Ordinance to assimilate the Law relating to the Transfer of Real Estate, and to provide for the Registration of Titles to Land throughout the Colony of British Columbia.

[1st June, 1870.]

WHEREAS it is expedient to establish a Registry of Titles to Real Estate throughout the Colony of British Columbia, and to assimilate the Law relating to the Transfer thereof, and for that purpose to repeal certain Acts and Ordinances hereinafter mentioned;

Be it therefore enacted by the Governor of British Columbia, with the advice and consent of the Legislative Council thereof, as follows:

LAND REGISTRY OFFICE.

I. One calendar month after the passage of this Ordinance, there shall be established in Victoria, by notice in the *Government Gazette*, an Land Registry Office. Office for the Record of Instruments and the Registration of Titles affecting Real Estate, which shall be styled the "Land Registry Office."

II. The Governor shall, from time to time, appoint a fit and proper person to perform the duties of the said office, and such person shall be a Barrister or Solicitor, admitted to practise as such in the Supreme Courts of the Colony, and shall be styled the "Registrar General of Titles;" and it shall be lawful for the Governor to assign to him a Salary of not exceeding Two thousand four hundred and twenty-five Dollars per annum.

III. It shall be lawful for the Governor to establish, in such other parts of the Colony as he shall determine, District Offices for the Recording of Instruments and Registration of Titles affecting Real Estate situate within such Districts, and to appoint fit and proper persons, to be styled "Deputy Registrars," to perform the duties of Deputy Registrars. such office; and in every such appointment the limits of the District shall be defined. Every act done by any Deputy Registrar shall have the like force and effect as if done by the Registrar General; and every such Deputy Registrar shall have and possess the like qualifications as are required of the Registrar General.

IV. The Registrar shall keep the Land Registry Office open for the transaction of business on every day, except such days as may be appointed by the Governor as a general or public holiday, or Christmas Day or Good Friday, from the hour of ten in the forenoon until the hour of four in the afternoon, and on Saturdays from the hour of ten in the forenoon until the hour of one in the afternoon; and it shall not be lawful for him whilst he holds office to practise within the Colony as a practice. Barrister, Solicitor, or Conveyancer.

V. Every

Land Registry Ordinance.

Registrars to give security.

V. Every Registrar to be appointed as aforesaid, shall give security for the due performance of his duties, in such manner and to such amount, and shall take such oath on entering on his office, as the Governor shall deem fit.

Registrar may appoint a Deputy.

VI. The Registrar may, subject to the approval of the Governor, nominate a Deputy in his office, of the like qualification with the Registrar, and may remove him and appoint another in his place whenever he thinks it necessary; and in case of the death, resignation, removal, or forfeiture of office of the Registrar, the Deputy Registrar shall do and perform all and every act, matter, and thing necessary for the due execution of the said office, and such appointment shall be notified, from time to time, in the *Government Gazette*; and it shall not be lawful for any Deputy Registrar, whilst he holds the office, to practise within the Colony as a Barrister, Solicitor, or Conveyancer. Every Deputy Registrar, before he enters on the execution of his office, shall take the same oath appointed to be taken by the Registrar.

Repeal of former Acts.

REPEAL OF ACTS.
VII. Immediately after the establishment of the said Land Registry Office, the "Land Registry Act, 1860," and the "Land Registry Amendment Act, 1865," of the former Colony of Vancouver Island; and also, * the "British Columbia Land Registry Act, 1861," and the "British Columbia Land Registry Extension Ordinance, 1864," shall be and are hereby repealed; save and except that all acts, matters, and things lawfully done thereunder shall not thereby be affected, and all rights and interests created by the said Acts and Ordinances, or any of them, shall be and are hereby expressly preserved and reserved in like manner as if this Ordinance had not been passed, and notwithstanding anything herein contained to the contrary; and in particular, the rights and emoluments of office enjoyed by or belonging to the Registrar General of British Columbia under the said "British Columbia Land Registry Act, 1861," and the "Crown Officers' Salaries Act, 1863," are hereby preserved and reserved. Upon the establishment of the said Office, all Records and Documents then being in the Land Registry Office, at New Westminster, shall be transmitted to the Land Registry Office, at Victoria, and form part of the Records of the said Office.

Records to be transmitted to head office.

All Deeds to be acknowledged.

ACKNOWLEDGMENTS OF EXECUTION OF DEEDS.
VIII. Before any Deed or Instrument executed subsequently to the 8th day of October, 1865, other than a Decree, Judgment, or Order of a Court of Civil Jurisdiction, is recorded or registered, and to entitle the same to be so recorded or registered, the execution thereof shall first have been acknowledged or proved in the manner hereinafter provided, and such fact of acknowledgment or proof shall appear by a Certificate under the hand and seal of the proper Officer or other person authorized to take such acknowledgments, endorsed upon or attached to such Deed or Instrument.

Before whom acknowledgments to be made.

IX. The acknowledgment or proof of execution of all Instruments hereby authorized to be recorded or registered,
If acknowledged or proved within the Colony, may be made—
To the Registrar or Deputy Registrar,
Or, to any Stipendiary Magistrate of the Colony or of any Town or District thereof,
Or, to any Judge or Registrar of a Court having a Seal,
Or, to any Notary Public practising within the Colony;
And if acknowledged or proved without the Colony and within the British Dominions, may be made—
To any Judge of a Court, or Clerk or Registrar of any Court having a Seal,
Or, to any Notary Public,
Or, to any Magistrate of any Town or District within the said Dominions having a Seal of Office,
Or, to any person commissioned in that behalf by the Governor (who is hereby authorized to appoint such and so many persons as he may think fit);

And if acknowledged or proved without the British Dominions, may be made—
To any British Ambassador, Charge d'Affaires or Minister, Consul or Consular Agent appointed to reside in the Country where such acknowledgment or proof is made,
Or, to any Judge of any Court of Record having a Seal,
Or, to any Notary Public practising in such Country, duly certified to by the Registrar of Conveyancers.

Land Registry Ordinance.

to be a Notary Public by some British Ambassador, Charge d'Affaires, Minister, Consul or Consular Agent.

And every such acknowledgment of Instruments executed without this Colony shall be sufficient to entitle the same to be recorded or registered, notwithstanding anything in this Ordinance contained to the contrary, and particularly the proviso in Section XI., hereinafter following.

X. No acknowledgment of the execution of any Instrument affecting any Real Estate within this Colony shall be taken, unless the party offering to make such acknowledgment shall appear before the Officer taking the same, and unless such party shall either be personally known to the Officer, or his identity be proven by the oath or affirmation of a competent Witness, and such Certificate of Acknowledgment shall recite in substance and legal effect the facts required by this Section.

XI. Acknowledgments and proofs of the execution of Instruments entitled to be registered or recorded may, for the purposes of this Ordinance, be made by,

1. The party executing in person such Instrument;
2. The Attorney in fact, when such Instrument is executed by an Attorney in fact;
3. The Secretary of any Corporation, when such Instrument is executed by such Secretary.
4. A Subscribing Witness to such Instrument.

Provided, always, that no acknowledgment of any party executing in person such Conveyance, Deed, or other Instrument shall be taken, unless in addition to what is required by Section X. of this Ordinance, such party acknowledge that he is the person mentioned in such Instrument as the maker thereof, and whose name is subscribed thereto as a party, that he knows the contents thereof, and that he executed the same voluntarily; and such Certificate of Acknowledgment shall, in addition to what is required by Section X. to be recited, recite in substance and legal effect the facts required by this proviso. And, provided also, that no acknowledgment by an Attorney in fact shall be taken, unless in addition to what is required by Section X. of this Ordinance, such Attorney in fact shall acknowledge that he is the person who subscribed the name of (naming the maker) to the Instrument, that said (naming the maker) is the person mentioned in the Instrument as the maker thereof, that (naming the Attorney in fact) knows the contents of the Instrument, and subscribed the name of (naming the maker) thereto voluntarily, as the free act and deed of the said (naming the maker); and such Certificate of Acknowledgment shall, in addition to what is required by Section X. to be recited, recite in substance and legal effect the facts required by this proviso. And, provided also, that no acknowledgment by the Secretary of any Corporation shall be taken, unless in addition to what is required by Section X. of this Ordinance such Secretary acknowledge that he is the person who subscribed his name and affixed the Seal of such Corporation as the Secretary to such Instrument, and that he was first duly authorized to subscribe and to affix the said Seal to the same; and such Certificate of Acknowledgment shall, in addition to what is required by Section X. to be recited, recite in substance and legal effect the facts required by this proviso. And, provided also, that no acknowledgment by a married woman shall be taken, unless in addition to what is required by Section X., such married woman shall be first made acquainted with the contents of the Instrument, and the nature and effect thereof, and shall acknowledge on examination apart from and out of hearing of her husband, that she knows the contents of the Instrument and understands the nature and effect thereof, that she executed the same voluntarily, without fear or compulsion or undue influence of her husband, that she is of full age and competent understanding, and does not wish to retract the execution of the same; and every such Certificate of Acknowledgment shall, in addition to what is required by Section X. to be recited, recite in substance and legal effect the facts required by this proviso. And provided that no acknowledgment or proof by a subscribing witness shall be taken, unless in addition to what is required by Section X. of this Ordinance, such subscribing witness shall acknowledge that he is the person whose name is subscribed to the Instrument as a witness, and shall prove that (naming the maker) whose name is subscribed thereto as the maker, did execute the same; and such Certificate of Acknowledgment or proof shall, in addition to what is required by

Section

Land Registry Ordinance.

Instruments acknowledged may be read in evidence.

Where witness or grantor is dead.

Instruments may be recorded by copy.

Cross references.

Office copies may be received in evidence.

Transmission of records to district office.

Endorsement of record.

Registration of Title to absolute fee.

Registration of Title to other estates.

Section X. to be recited, recite in substance and legal effect the facts required in this proviso. Provided, also, that the acknowledgment or proof of Instruments required to be made or done as hereinbefore mentioned, may be in the forms in the Third Schedule hereto.

XII. Every Instrument which shall be acknowledged or proved and certified as in this Ordinance prescribed, shall, together with the Certificate of Acknowledgment or proof, be read in evidence in all Courts of Law and Equity, without further proof of execution, and in the case of a married woman without any other acknowledgment.

XIII. When the Witness to any Deed or Instrument affecting Real Estate, or the grantor or other person divested of property therein named has died, or is absent from the Colony, or under disability, and neither such witness nor grantor is within the Colony, it shall be lawful for the Registrar, on being satisfied of the fact, and upon the testimony of any person acquainted with the signature of such witness, grantor or other person as aforesaid making affidavit of his belief that the signature is the writing of the person it purports to be stating his reasons therefor, to receive such Instrument for the purpose of Record or Registration, in like manner as if such signature had been acknowledged according to the foregoing provisions.

TRANSCRIPT OF DEEDS.

XIV. It shall be the duty of the Registrar, when requested, and upon payment of the proper Fees, to Record in Books to be kept for that purpose, and to be called the "Record of Conveyances," the "Record of Pre-emption Claims," the "Record of Mortgages," the "Record of Wills," and in other Books with appropriate titles, all Deeds and Instruments in any manner affecting Real Estate or the title to any interest therein, by correctly transcribing or copying the same, together with every endorsement thereon or certificate attached thereto, word for word, letter for letter, figure for figure, sign for sign, and erasure for erasure.

XV. References to such Record shall be made in the Register Books of the Title to which such Instruments relate.

XVI. The Record of any such Instrument as aforesaid (except a Will or Codicil) or any copy of the same, duly certified by the Registrar may, in the absence of the original when the absence of such original is duly accounted for, and if produced by a party not having the control of the original, be read in evidence in all Courts of Law and Equity without further proof; but the production of such copy shall not preclude the Registrar from requiring the production of the original Documents in those cases when such production may be deemed necessary for the purpose of registering any Title thereunder, as hereinafter provided.

XVII. Upon the opening of any District Office, a transcript of the Records and Registrations affecting Real Estate in such District, prior to such opening, shall be sent to the Registrar of such District by the Registrar General, and shall be kept in such District Office as part of the Records of such Office.

XVIII. The Registrar shall endorse on every Instrument so recorded, a memorandum of the date of such Record, and a reference to the volume and page of the Record Book in which the transcript has been made.

REGISTRATION OF TITLE.

XIX. Every person claiming to be the legal owner in fee simple of Real Estate may apply to the Registrar for Registration thereof, in the form marked A. in the First Schedule hereunto annexed, and the Registrar shall, upon being satisfied after the examination of the Title Deeds produced, that a *prima facie* Title has been established by the applicant, register the Title of such applicant in a Book to be called the "Register of Absolute Fees," in the form marked B. in the said First Schedule; and also, shall transcribe in another Book to be called the "Absolute Fees Parcels Book," a description of the land to which the Title relates, in the form marked C. in the said Schedule.

XX. Every person claiming any other or less Estate than the Absolute Fee, or any mortgage or other incumbrance upon, or any equitable interest whatever in Real Estate (other than a judgment, Crown debt, or leasehold interest in possession for a term not exceeding Three Years), may apply to the Registrar for Registration thereof, in the form marked D. in the said Schedule, and the Registrar shall, upon being satisfied after examination of the Title Deeds produced, that a *prima facie* Title has been established by the applicant, register the Title of such applicant in a Book to be called the "Register of Charges," in the form marked E. in the said

Land Registry Ordinance.

said Schedule, and shall transcribe in another Book to be called the "Charges Parcels Book," a description of the land to which the charge relates, in the form marked F. in the said First Schedule.

APPLICATIONS FROM THE INTERIOR OF THE COLONY.

XXI. All Stipendiary Magistrates, other than those resident within the Town and District of Victoria, and until the appointment of Deputy Registrars as hereinbefore provided (when the powers hereby conferred on such Magistrates shall cease and determine), are hereby authorized and required to receive applications for Registration and Record from owners of land or any estate or interest therein situate within the District for which such Stipendiary Magistrate shall have been appointed.

Magistrates may receive applications for Registration, and transmit Documents to the Head Office.

1. Where a transcript only is required, the Magistrate shall endorse on each document of title a memorandum to the following effect, "Received for Record day of , 187 . at o'clock. (Signed) A. B., Stipendiary Magistrate at "

2. Where the title is required to be registered, the applicant shall fill up and sign the usual paper in the Form A. or D in the said First Schedule hereto provided, and thereon shall be endorsed the day and hour of receipt, as in the memorandum last mentioned.

All documents of title and other papers, shall thereupon be transmitted by the Magistrate, through the General Post Office, as a registered letter, without charge to the applicant, to the Registrar General at Victoria.

When registration or record has been effected, the necessary deeds and papers, together with a memorandum of the fees thereon, shall be returned by the Registrar General to the Magistrate, who upon receipt of the said fees shall deliver the same to the applicant.

No Magistrate or Registrar shall be responsible for any damage or loss occasioned by, or consequent upon, the transmission of documents as aforesaid, except the same shall occur from his own wilful neglect or default.

Not responsible for loss by transmission of Documents.

XXII. The limits of the Districts aforesaid shall be defined by the Limits of Districts. Governor, and varied from time to time, by notice in the *Government Gazette*, and thereupon all applications for Record and Registration may be made to the Stipendiary Magistrate of the District until a Deputy Registrar be appointed for such District as aforesaid, and then to such Deputy Registrar only.

XXIII. The description of parcels shall in all cases where possible be contained in the Instrument which vests the property in the person whose Title is Registered, and the Registrar shall have power to call for evidence of identity of any such parcels with the original grant or conveyance of such land before effecting Registration.

Description of parcels.

XXIV. The Registrar shall enter in the Absolute Fees Book a cross reference to the volume and folio of the Register of Charges in every case where the Title to the Absolute Fee has been Registered. The Registrar shall after Registration endorse on every Deed or Instrument produced by the applicant for proof of his Title a memorandum in the Form marked G. in the said First Schedule.

PRODUCTION OF DOCUMENTS.

XXV. Whenever any document required for the proof of Title cannot be produced by the applicant, by reason of its being in the possession of a mortgagee or other person who refuses to produce the same, the Registrar shall, upon being satisfied that the applicant has a *prima facie* Title, first give notice in writing to the holder or owner of such document of his intention to register the same at the expiration of the time specified in the said notice, which shall be not less than one week and not more than three months, at the discretion of the Registrar. The said notice may be in the Form marked H. in the said First Schedule; and after proof by affidavit of service of the same on the holder or owner of the document aforesaid, or on his duly appointed attorney, the Registrar shall proceed to the Registration of the Title of the applicant.

Cross references.
On non-production of document notice to be given to holder.

XXVI. Upon every Registration of Title in favour of an owner in fee simple, mortgagee, or other person by right entitled to the possession of documents of title, the Registrar shall require the person requiring to be registered as owner in fee, mortgagee, or otherwise, to produce the Title Deeds of the property to which such registration may be intended to refer, unless the non-production of such Title Deeds, or any of them, be satisfactorily explained to the Registrar, on affidavit duly made.

Title Deeds to be produced unless non-production explained.

XXVII. The Registrar may effect Registration of the Absolute Fee as well at the instance of several persons, who together are entitled to the complement

Joint tenants, &c.

Land Registry Ordinance.

complement of the Absolute Fee, as also of any joint tenant or tenant in common.

husband co-owner with Wife. **XXVIII.** The husband of any female Registered owner of an Absolute Fee shall be entitled to be registered as co-owner with his wife, but he shall be described on the register as co-owner in right of his wife, and on his death the original registry of the wife, with a change, if necessary, in the name, shall revive and confer the same rights as if her husband had never been registered as co-owner with her, save as to acts done in his lifetime with her consent and duly acknowledged.

Remainder-men.

XXIX. Where two or more persons are interested in distinct estates or interests in the same land, by way of remainder or otherwise, the first owner of an estate of inheritance shall be registered as the owner of the Absolute Fee, and the interests or estates of the others or other shall be registered by means of a charge or charges. Provided, however, that in any Certificate of Title granted by the Registrar under this Section the owner of such estate of inheritance shall not appear to be possessed of a larger or different estate than that to which he is by law entitled; and provided, also, that all subsequent estates or charges shall duly appear on such Certificate.

Future and contingent interests.

XXX. A charge may be registered as well in respect of a present and vested right, as of a future or contingent interest.

Acknowledgment by Married Women.

XXXI. Whenever any Instrument is produced for the purpose of Registration of any Title purporting to convey the Real Estate of a married woman, or of any interest therein, it shall be sufficient, so far as the execution of such Instrument is concerned, and in order to entitle the same to be Registered, that the married woman have made an acknowledgment of execution, in the manner and form provided in Section XI. of this Ordinance; and every Instrument so acknowledged by any married woman, and registered, shall be as effectual to all intents and purposes to pass all the estate, right, title, and interest of the married woman by whom the same is executed, in the land to which the same relates, as if she had been unmarried, any law, and in particular the Act of the 3rd and 4th year of King William the Fourth, Chapter 74, commonly known as the "Fines and Recoveries Act," to the contrary notwithstanding.

Certificate by Surveyor General.

XXXII. The Surveyor General may, and he is hereby required (when called upon) to, give a Certificate of Payment of all or any of the instalments due on lands purchased or pre-empted, in the form marked I. in the said First Schedule, and such Certificate shall be sufficient authority for the Registrar to enter up satisfaction, and cancel any charge registered against any such lands.

Equitable mortgage not to be registered

XXXIII. No equitable mortgage or lien created simply by a deposit of Title Deeds and memorandum thereof shall be deemed to entitle the person interested to Registration under this Ordinance.

Where disability of infancy, &c.

XXXIV. The Registrar may, on the application of the guardian of any minor, the Committee of any lunatic or person of unsound mind, or the next friend of any married woman, or the duly authorized agent of any minor, lunatic, or married woman, and on production of an order by some Court of competent jurisdiction for that purpose, enter a charge in his or her behalf, in respect of any interest in land held or possessed by him or her while under the disability of infancy, lunacy, unsoundness of mind, or coverture, upon being satisfied of such infancy, lunacy, unsoundness of mind, or coverture.

Certificate of Title.

XXXV. The Registrar shall, upon the Registration of every Absolute Fee, issue a Certificate of Title to the person who shall have effected Registration, in the form marked J. in the said First Schedule, and shall fill up a docket or memorandum thereof, and retain the same in his Office; and if any Certificate of Title shall be lost or destroyed, the Registrar may, upon being satisfied by affidavit of the applicant, or of some other person, of the truth thereof, and upon advertisement of his intention so to do, published for one month at least, in some one or more of the newspapers published in the Colony, (at the discretion of the Registrar) issue a fresh Certificate of Title in lieu of that so lost or destroyed. Such Certificate shall bear on the face of it that it is a duplicate, and reference shall be made therein to the affidavit upon which it has been granted. Every Certificate of Title shall be received as *prima facie* evidence in all Courts of Justice in the Colony, of the particulars therein set forth.

XXXVI. The

Land Registry Ordinance.

XXXVI. The registered owner of an Absolute Fee shall be deemed to be the *prima facie* owner of the land described or referred to in the Register for such an Estate of Freehold as he legally possesses therein, subject only to such registered charges as appear existing thereon, and to the rights of the Crown.

XXXVII. The registered owner of a charge shall be deemed to be of charge. *prima facie* entitled to the estate or interest in respect of which he is registered, subject only to such registered charges as appear existing thereon, and to the rights of the Crown.

XXXVIII. The time at which application for Registration shall be deemed to have been made, shall be the time when the form of application referred to in Clauses XIX. and XX. of this Ordinance is filled up and signed by the applicant.

PRIORITY. NOTICE.

XXXIX. When two or more charges appear entered on the Register, Priority of registration creates priority of title. A affecting the same land, the charges shall, as between themselves, have priority according to the dates at which the applications respectively were made, and not according to the dates of the creation of the estates or interests.

XL. No purchaser for valuable consideration of any registered Real Estate, or registered interest in Real Estate, shall be affected by any notice express, implied, or constructive of any unregistered title, interest, or disposition affecting such Real Estate, other than a leasehold interest in possession for a term not exceeding three years, any rule of law or equity notwithstanding.

XLI. The Registration of a charge shall give notice to every person dealing with the Real Estate against which such charge has been registered, of the estate or interest in respect of which such charge has been registered, but not of the contents of such Instrument.

XLII. In every case in which any Instrument shall have been executed by Attorney, the Power of Attorney, or duly certified copy thereof, shall be filed in the Office of the Registrar, and the application for Registration shall not be deemed to have been made until such Power of Attorney, or duly certified copy thereof, shall have been delivered to the Registrar for that purpose.

XLIII. All Powers of Attorney, or duly certified copies thereof, filed in the Office of the Registrar shall be numbered by him in rotation, and he shall endorse thereon the day and time when filed, and an appropriate Index, to be called the "Index of Powers of Attorney," shall be kept by the Registrar, in which reference shall be made by him to each Power of Attorney, or duly certified copy thereof, filed in his Office, and the distinguishing number thereof.

TRUST ESTATES.

XLIV. Whenever any land, or any estate or interest therein, is vested in any Trustee or Trustees, no entry of the Trusts created or declared in respect of the same shall be made in the Register, but the Title of the Trustee or Trustees shall be registered in like manner as if he or they were beneficially entitled. It shall be lawful, however, for any person entitled to any estate or interest in the land so vested in Trustees, to apply to the Registrar, and the Registrar is hereby authorized and required to enter against the Registration of the Title of such Trustees the words "no survivorship," and whenever such words shall be so entered, it shall not be lawful for any less number of Trustees than the number named in the Instrument, to sell, transfer, or otherwise dispose of the land, estate, or interest, without obtaining the sanction of the Court, by order or petition of course, under the provisions hereinafter contained; and the Court is hereby authorized to make such order in the premises as to the appointment of new Trustees, or otherwise, and for the Registration of the Title to such land, as shall be just and proper.

TRANSFERS.

XLV. When any conveyance or transfer is made of any Registered Real Estate, or interest therein, the Transferee or Grantee shall be entitled to be registered as the owner of the same estate or interest then held by or vested in the Transferor or Grantor; and in the case of an Absolute Fee, a new Certificate of Title shall be issued to such Transferee or Grantee, on the production and cancellation of the former Certificate. Where a portion only of the Real Estate included in any Certificate of Title has been transferred, a memorandum of such transfer shall be endorsed thereon.

XLVI. Every transfer or conveyance, in the form marked K. in the Schedule hereto, shall confer upon the person to whom it is made, his heirs and

Land Registry Ordinance.

and assigns (or to his executors, administrators, and assigns, as the case may be) all the estate and interest of the Transferor or Grantor, whether legal or equitable at the date thereof, subject, however, to any charge that may appear on the Register against the same; and, also, to any unregistered leasehold interest in possession, for a term not exceeding three years, and the same transfer or conveyance shall pass to the Transferee or Grantee, his heirs and assigns (or executors, administrators, and assigns, as the case may be) the full and entire benefit of all covenants and agreements in respect of, and all powers, provisoies, and conditions of entry, sale, leasing (if any) over the Real Estate, the subject matter of the transfer to which the Transferor was entitled and which may be thereby intended to be transferred at the time of such transfer; and if the estate or interest so transferred be that of a Mortgagee, such transfer shall also confer on the Transferee, his executors, administrators, and registered assigns the full benefit of and right to sue upon any covenant for payment of the mortgage moneys and interest thereon.

INDEFEASIBLE TITLE.

Application for certificate of Indefeasible Title. XLVII. The owner in fee of any land, the title to which shall have been registered for the space of seven years, may apply to the Registrar for a Certificate of Indefeasible Title; but he shall first,

Make an affidavit, that to the best of his knowledge, information, and belief, to all deeds and documents, maps, plans, and papers (with a list thereof annexed) relating to the title to the land in question have been produced to the Registrar, or the cause of the non-production of any fully and fairly explained, and that all facts material to the title have been fully and fairly disclosed, and where no plan is registered a plan shall be produced and filed with the Registrar.

The applicant shall also make an affidavit of, and state fully, all incumbrances, estates, rights, and interests (if any) which in any manner affect his title, and subject to which he seeks to have a Certificate of Indefeasible Title granted.

The Registrar shall, upon being satisfied of the truth of the statements made in the said affidavits, cause an advertisement to be inserted in the *Government Gazette* and in one or more of the newspapers published in the Colony, and elsewhere if necessary, for a space of not less than three months, stating his intention of issuing the Certificate of Indefeasible Title applied for, on a day to be named in such advertisement, unless a valid objection thereto be made, in the meantime, to him in writing, by any person having an estate or interest in the land sought to be included in such Certificate, or any part thereof.

Form of certificate, and effect thereof. XLVIII. If no valid objection be made, the Registrar shall issue a Certificate of Indefeasible Title to the applicant, in the form marked L. in the said First Schedule, a duplicate of which shall be retained by the Registrar.

XLIX. The Certificate of Indefeasible Title shall be conclusive evidence in all Courts of Justice that the person therein named is the absolute owner of an Indefeasible Fee Simple in the Real Estate therein mentioned against the whole world (the Crown only excepted), but subject as therein is expressly set forth; and no such Certificate shall be impeached or defeasible on account of any error, omission, or informality in the Registration of Title, or any proceeding connected therewith; and, notwithstanding the existence in any other person of any estate or interest in the land, and except in the case of fraud, the registered owner thereof, or of any estate or interest therein, in respect of which a Certificate of Indefeasible Title has been granted, shall hold the same, subject only to such incumbrances, liens, estates charges, or interests as appear on the Register, but absolutely free from all other incumbrances, liens, estates, charges, and interests whatsoever, except any lease in possession for a term not exceeding three years, and excepting the rights of the Crown.

In case of Title under a Will, Probate must first be granted. L. Whenever any property shall have been devised or bequeathed by Will or Codicil, and the person claiming Title thereto through or under the testamentary disposition shall apply for Registration of the testamentary disposition, or of any Instrument affecting the property executed subsequent to the decease of the Testator, the application for Registration shall not be deemed to have been made until the testamentary disposition shall have been proved in the Supreme Court of the Colony, or letters of administration with the testamentary disposition annexed shall have been granted by the said Court, or by some other Court of competent jurisdiction, and the probate or letters of administration, or an official copy thereof, respectively shall have been produced to the Registrar.

CONTESTED TITLES.

Title maybe contested by filing an issue. LI. Any person interested in Real Estate, the title to which has been registered, and desirous of contesting such Registration may file an Issue, in the form marked M. in the said First Schedule. The Registrar shall thereupon enter a memorandum of such Issue against the Real Estate or interest referred to, in like manner as charges are entered, and within three months thereafter

Land Registry Ordinance.

after the person filing such Issue shall bring an action, or file a bill (as the case may require) against the person whose title is contested, and the Court shall make such order, or give such judgment thereon, as to the cancellation or amendment of such Registration, or otherwise, as the nature of the case shall require.

LII. If such bill or action be not filed or brought as aforesaid, the Cancellation of Issue, Registrar may cancel such Issue on the application of the person whose title is contested, and such person shall be entitled to recover all costs, charges, damages, and expenses which he may have sustained by reason thereof against the party who has filed the said Issue.

JUDGMENTS.

LIII. The Registrar shall, on the application of any person in whose favour a judgment has been obtained in any Court of Civil Jurisdiction in the Colony, register a charge in respect thereof, in manner aforesaid, against the Real Estate of the Judgment Debtor, on delivery to him of a Certificate under the hand of the Registrar of the Supreme Court, or under the hand of a Judge or Registrar of any County Court of British Columbia. Every such Judgment shall, so soon as it has been duly registered, affect and bind all the Lands belonging to the Judgment Debtor at the time of the registering thereof, or at any time afterwards, and shall operate as a charge upon and shall affect and bind all Lands of or to which such Person was at the time of registering such Judgment, or at any time afterwards became, seized, possessed, or entitled for any estate or interest whatever, at Law or in Equity, whether in possession, reversion, remainder, or expectancy, or over which such Person had, at the time of registering such Judgment, or at any times afterwards, any deposing power which he might without the assent of any other person exercise for his own benefit, and shall be binding upon the person against whom Judgment has been so entered and registered, and against all persons claiming under him after such Judgment and registry, and shall also be binding as against the issue of his body, and all other persons whom he might without the assent of any other person cut off and debar from any remainder, reversion, or any other interest in or out of the said lands, tenements, or hereditaments, and every Judgment Creditor shall have such and the same remedies in a Court of Equity against the Lands so charged as aforesaid, as he would be entitled to in case the Judgment Debtor had power to charge and had charged the same with the amount of such judgment debt and interest, and all such Judgments shall be claimed and taken to be valid and effectual according to the priority of Registering such Certificates. Every Judgment so Registered as aforesaid, shall cease to be a charge on or to affect lands or any interest therein, on the expiration of Three Years from the day on which Registration was effected, unless Registration thereof be renewed in manner hereafter provided. The Registration of any Judgment so Registered as aforesaid, may be renewed from time to time, and when renewed it shall continue in force for a period of Three Years from the day on which the last renewal shall have been effected. The Registrar shall from time to time, on delivery to him of an application in writing under the hand of the Plaintiff in any action, or of other the person entitled to receive the Judgment Debt or any part thereof, or his Attorney, before the expiration of Three Years from the day on which the Registration, or the renewal, or last renewal of Registration (as the case may be) of any Judgment shall have been effected, permit such Registration to be renewed by transcribing on the Register of Judgments a copy of the original entry, and it shall be the duty of the Registrar to mark and sign in the margin of the Register of Judgments and opposite the transcription, "Renewed this _____ day of _____ A. D. 18____."

LIV. Any person who shall have filed a Bill, or commenced an action in *Lis Pendens*, respect of any Real Estate, may register a *Lis Pendens* against the same by means of a charge.

LV. The Attorney General may, in behalf of the Crown, register a Crown debt against the Real Estate of any debtor to the Crown, in like manner as other debts are registered, and no Crown debt shall affect any Lands or Real Estate of a Crown debtor unless and until the same be registered.

REFERENCE TO THE COURT.

LVI. Whenever from any special circumstances, or on account of the Title being doubtful, the Registrar declines to effect registration thereof, or to do any act or thing liable to be done under the provisions of this Ordinance, and deems it desirable that the matter be heard and decided by the Court, he shall notify the same to the applicant in writing, stating briefly the reasons therefor, and the applicant is thereupon and hereby authorised to petition the Court or Judge in a summary way, praying that his Title and Interest may be declared, and that the Registrar may be ordered to effect registration thereof, and for such other relief as the nature of the case may require; and the Court or any Judge thereof is hereby authorised and empowered to hear such petition, and make such order thereon after such notices, and on such terms as it or he shall think fit.

LVII. The

Land Registry Ordinance.

Affidavits to be filed
in support.

LVII. The petition aforesaid shall be supported by the affidavit of the applicant, and of other persons if necessary, stating fully and fairly all the material facts of the case, and that to the best of the information, knowledge and belief of the deponent, all the facts and things material to the Title, have been fully and fairly disclosed to the Court or Judge.

Caveat may be issued. **LVIII.** The Court or any Judge thereof may, on the application of any person interested in Real Estate, or on any application made on behalf of the owner of a future or contingent interest, by petition or otherwise, make an order, or issue a *caveat*, inhibiting any Dealing with, or Registration of, such Real Estate, and annex thereto any terms and conditions it or he may think fit.

Service of order on Registrar. **LVIX.** The service upon the Registrar of any copy of any order of the Supreme Court, or any Judge thereof, or of any order, decree, rule, judgment, or any other proceeding, touching the Registration of Real Estate, shall, without more, be sufficient authority for him to act in compliance therewith.

Effect of registration under order of Court. **LX.** All registrations of absolute fees or charges made in pursuance of any such order as aforesaid, shall stand in precisely the same position, and shall have such force and no other, as registrations of the absolute fee or charges made under the ordinary provisions of this Ordinance.

Attendance of Registrar in Court. **LXI.** The Registrar shall attend upon the Court or Judge whenever his evidence may be deemed necessary, but his costs and expenses shall be borne by the person making application for or requiring his attendance.

Cancellation of charges.

LXII. When any Crown debt, judgment, charge, or issue has been satisfied or discharged in whole or in part, or any interest in land surrendered or released, the Registrar shall, upon satisfactory proof thereof, enter the particulars in a book to be called "The Satisfaction Book," in the Form marked N. in the said First Schedule, and shall also cancel the entry thereof on the Register of Charges, by writing thereupon a memorandum in the Form marked O. in said First Schedule, and shall also cancel the entry made against the registration of the absolute fee, by writing over the same the word "Cancelled" (in whole or in part).

Effect of cancellation.

LXIII. In every case of cancellation of a charge, Crown debt, or judgment, the Estate or Interest, in respect of which such charge, Crown debt, or judgment shall have been registered, shall be deemed to be discharged and released from the date of the satisfaction or discharge and release of the same, and not from the date of entry thereof on the Register; and in those cases where a reconveyance, surrender or transfer, would have been otherwise necessary, such memorandum of satisfaction and entry of particulars as aforesaid, shall operate as a reconveyance, surrender or transfer, and the charge, Crown debt, or judgment shall no longer affect the Real Estate in respect of which it was registered.

MAPS.

Registrar may require map to be deposited or appended to Deed.

LXIV. When any person applies for Registration of the whole or a portion of an entire lot or section of land, he shall, if so required by the Registrar, deposit a map thereof properly authenticated, or append the same to the Instrument conveying the said Land, and reference to such map shall be made by the Registrar and entered by him in the Parcels Books, and such map shall be drawn on a scale, in the case of land situated in any District, of not less than four inches to a mile, and in the case of land situated in any Town, on a scale of not less than one chain to an inch, or on such scale respectively as the Registrar shall require, in order that the land may be clearly and conveniently shown.

Surveyor General to deposit copies of official maps.

LXV. The Surveyor General of the Colony shall, as soon as conveniently may be, and from time to time deposit in the Land Registry Office, when requested so to do by the Registrar, copies of all Public Official Maps in his custody, duly authenticated by his signature.

Authority of Registrar to require production of documents;

LXVI. It shall be lawful for the Registrar to exercise the following powers (that is to say): He may require any person desiring to effect any registration or cancellation of registration, or any other act, matter, or thing, to produce any grant, certificate of title, conveyance, bill of sale, mortgage, deed, lease, will, or any other instrument in his possession or within his control affecting such land or the title thereto; and he may, for the purposes of this Ordinance, administer oaths, or in lieu of administering an oath, may require any person examined by him to make and subscribe a declaration of the truth of the statement made by him in his examination. And it shall further be lawful for the Registrar, upon such evidence as shall appear to him sufficient in that behalf, to correct errors in entries made, and supply entries omitted to be made under the provisions of this Ordinance. Provided, always, that in the correction of any such entry, he shall not erase or render illegible the original entry, and shall in correcting or supplying any entry,

Land Registry Ordinance.

entry, affix his initials thereto, and the date of such correction, and correction so made and omission so supplied shall have the like validity and effect as if such error had not been made, or such entry omitted, except as regards any registration, or filing which may have been entered in any of the Register Books previously to the actual time of correcting the entry, or supplying the omitted entry.

LXVII. All Acknowledgments, Affidavits, Oaths and Declarations necessary for the purposes of this Ordinance, may be taken by and made before the Registrar.

LXVIII. Applications for Registration or Record may be made by the Counsel, Solicitor, Attorney, or duly authorised agent of any person on his behalf, and such agent may do all other acts and things according to the provisions of this Ordinance, as lie within the scope of the authority given to him.

INDEX BOOKS.

LXIX. The Registrar shall keep separate Index Books of the owners of absolute fees and charges in alphabetical order, with a reference opposite each name to the volume and page of the Register where the Estate or Interest is Registered.

LXX. The Registrar shall keep Indices arranged under appropriate headings, as to Towns and Districts, of all lands registered, in which reference shall be made to all sections and lots, in numerical order, and the entries in the Register affecting each particular section or lot shall be posted in the proper index against the land to which they relate.

LXXI. The Registrar shall also keep an Index of all Records which shall be made under Section XIV. both as to the property and owner, in like manner as in the two last Sections are provided.

LXXII. The Registrar shall keep a separate Index of every Judgment, Crown Debt, and *Lis Pendens* registered, arranging in alphabetical order the names of the persons against whom the same has been registered.

LXXIII. Maps or plans, and Instruments of Title, relating to Real Estate, may be deposited with the Registrar from time to time for safe keeping, on payment of the proper fee; and the Registrar shall keep an index of all maps or plans and Instruments of Title so deposited, specifying the name of the Depositor, the parcels to which the map or plan, or instrument relates, and the volume and page of the Parcels Book in which the Real Estate is described, and shall also endorse on the map or plan, or instrument deposited, a memorandum containing a distinguishing number and the date of deposit.

OFFICIAL SEAL.

LXXIV. The Registrar shall have an Official Seal inscribed with the words "The Land Registry Office of British Columbia," and the seal of a Deputy Registrar shall have in addition the name of the District inscribed thereon. Every paper, writing or instrument issued by the Registrar, shall be impressed with the Seal, and shall thereupon be admissible in evidence without proof of such sealing.

FEES.

LXXV. The fees mentioned in the Second Schedule hereto annexed, shall be taken by the Registrar, and paid into the Colonial Treasury, for the use of Her Majesty, Her heirs and successors. Provided, always, that it shall be lawful for His Excellency the Governor, from time to time to direct that the fees which shall be received under the authority of this Ordinance, shall be applied under such regulations as he shall appoint in payment of the current or incidental expenses of the said Land Registry Office or any of them. All fees received by any Magistrate for acknowledgment of Deeds or any other matter or thing done under the provisions of this Ordinance, shall be paid into the Colonial Treasury for the uses as aforesaid, and duly accounted for.

LXXVI. The per-cent to be paid on the Registration of an Absolute Fee, shall be calculated on the market value of the property at the time of application, for registration, and in case of dispute, the value shall be settled by the Registrar, upon such proof as he may deem sufficient.

LXXVII. If the deeds constituting a Title have been Registered, and are allowed to remain in the Office for six month thereafter, the same fee shall be charged as if they had been deposited.

LXXVIII. Any person dissatisfied with any decision or act of the Registrar, may obtain a rule from the Court for the Registrar to show cause why he should not do or omit the thing complained of, but in every instance the costs shall be in the discretion of the Court or Judge.

LXXIX. The

No person shall be registered.

Acknowledgments, &c., may be made before Registrar.

Applications by Agents.

Land Registry Ordinance.

No personal liability of Registrar.

LXXIX. The Registrar individually shall not, save as aforesaid, nor shall any person acting under his authority, be liable to any action, suit, or proceeding for, or in respect of any act or matter *bona fide* done, or omitted to be done, in the exercise or supposed exercise of the powers of this Ordinance.

FORGERY, &c.

Punishment of fraud

LXXX. If any person wilfully make any false declaration, or fraudulently procure, or assist in fraudulently procuring, or be privy to the fraudulent procurement of any order or rule of the Court, or of any fraudulent entry on the Register, or any alteration or erasure of such entry, he shall be guilty of a misdemeanor, and any order or rule procured by fraud, and any act consequent on such order, and any entry, alteration, or erasure so made by fraud shall be void as between all parties or privies to such fraud.

Of false statements.

LXXXI. If in any proceeding to obtain the Registration of any title to land or otherwise, or in any transaction relating to land, which is, or is proposed to be put on the Register, any person acting either as principal or agent, shall knowingly and with intent to deceive, make, or assist, or join in, or be privy to the making of any material false statement or representation, or suppress, conceal, or assist, or join in, or be privy to the suppressing, withholding, or concealing from any Judge or Registrar, or any person employed by, or assisting the Registrar, any material document, fact or matter of information, every person so acting shall be guilty of a misdemeanor; and the act or thing done or obtained by means of such fraud or falsehood, shall be null and void to all intents and purposes, except as against a purchaser for valuable consideration without notice.

Conviction.

LXXXII. Any person convicted of a misdemeanor under either of the last two preceding sections, shall be liable to imprisonment for any term not exceeding Three Years with or without hard labor, or to be fined such sum as the Court by which he is convicted shall think just.

Not to affect civil rights.

LXXXIII. No proceedings or conviction for any act hereby declared to be a misdemeanor, shall affect any remedy which any person aggrieved by such act, may be entitled to either at law or in equity against the person who has committed such act.

Forgery of Seal.

LXXXIV. If any person forge or procure to be forged, or assist in forging the Seal of the Registrar's Office, or the hand writing of any officer therein, he shall be guilty of felony.

Criminal liability not to protect against giving evidence.

LXXXV. Nothing in this Ordinance shall entitle any person to refuse to make a complete discovery by answer to any bill in equity, or to answer any question or interrogatory in any civil proceeding in any Court of Civil Judicature, but no answer to any such bill, question, or interrogatory shall be admissible against any such person in evidence, in any criminal proceeding.

Rules and Orders by the Court,

and Registrar.

RULES AND ORDERS.

LXXXVI. The Judge or Judges of the Supreme Court may make such Rules and Orders as may be necessary in relation to any matters to be brought before the Court under the provisions of this Ordinance, and establish a scale of fees to be taken on all petitions, motions, applications, and other proceedings authorised by this Ordinance to be taken and preferred.

The Registrar General may from time to time make such Rules and Orders, Forms and Directions, for carrying out the provisions of this Ordinance as may be necessary.

But all such Rules and Orders, Forms and Directions, whether made by the Judge or Registrar as aforesaid, shall be first approved by the Governor, and may from time to time be varied, repealed, or amended.

A copy of all such Rules and Orders, Forms and Directions shall be affixed to the walls of the Registrar's Office for public information.

Interpretation.

INTERPRETATION OF TERMS.

Interpretation.

LXXXVII. In the construction of this Ordinance the following words and expressions shall have the meanings hereby assigned to them, unless the same be repugnant to, or inconsistent with the context (that is to say), the words "The Court," shall mean the Supreme Court of British Columbia; the word "Judge," shall mean any Chief Justice or Judge of the said Court; the word "Registrar," shall mean the Registrar General of Titles or any Deputy Registrar; the expression "Absolute Fee," shall mean and comprise the legal ownership of an estate in fee simple; the expression "Charge," shall mean and comprise any less Estate than an absolute fee or any equitable interest whatever in Real Estate, and shall include any incumbrance, Crown debt, judgment, mortgage, or claim, to or upon any Real Estate; the word "Judgment," shall mean and include any Decree or Order of any Court of Equity, and any Judgment or Order of any Court of Law, whereby any sum of money is payable to any person, or whereby the possession of land is given to,

or

Land Registry Ordinance.

or any estate vested in any person, by virtue thereof; the word "Person," and words applying to any person or individual, shall apply to and include Corporations, and words importing the singular number or masculine gender only, shall be understood to include several matters, as well as one matter, and several persons, as well as one person, and females as well as males, and words importing the plural number, shall be understood to apply to one matter, as well as more than one; the words "Real Estate," or "Land," shall extend to and mean Lands, Messuages, Mines, and all other hereditaments whatsoever; the word "Governor," shall mean the Governor of the Colony, or any other Officer Administering the Government of the Colony for the time being; the words "Surveyor General" shall mean the Officer for the time being acting as Chief Commissioner of Lands and Works and Surveyor General.

LXXXVIII. This Ordinance may be cited as "The Land Registry Ordinance, Short Title: 1870."

Passed the Legislative Council the 20th day of April, A. D. 1870.

CHARLES GOOD,
Clerk of the Council.

PHILIP J. HANKIN,
Presiding Member.

Assented to, in Her Majesty's name, this 1st day of June, 1870.

A. MUSGRAVE,
Governor.

FIRST SCHEDULE.

No. I [or We] Date 18
of declare that I [or we] am [or are] claim
the owner in Fee of the Real Estate hereunder described, and to be registered accordingly.

DESCRIPTION OF REAL ESTATE.

Town or District.	Lot or Section.	Admeasurement or Acreage.

LIST OF INSTRUMENTS.

Date.	Parties.	Character of Deed.

And I [or we] declare that to the best of knowledge the value of the said Real Estate is Dollars.

Received for Registration at the day of at o'clock, at

C D., Stipendiary Magistrate.

FORM B.

Land Registry Ordinance.

FORM B.

No.	Absolute Fee.	Owner of Absolute Fee.	Parcels, Short Description.	Parcels, Book, Vol. Fol.	Date of Application.	Date of Registration.	List of Instruments. &c., if any.	Charge, Issue, &c., if any.

FORM C.

No.	Absolute Fees Book, Vol. Fol.	Description.	Character Good	City of the County

A. SINGRAVAN

FORM D.

No. [or We] Date 18
 of declare that I [or we] am [or are]
 entitled to a over the Real Estate hereunder described,
 and claim Registration of a charge accordingly.
 The Absolute Fee is registered at Vol. Fol. of Absolute Fees Book.

DESCRIPTION OF REAL ESTATE.

Town or District	Lot or Section.
TOWN A	
No. 1 [or M6]	
of	
LIST OF INSTRUMENTS.	
Date.	Parties.

And declare that to the best of knowledge and belief the value
 of said interest is Dollars.

Received for Registration at the day of 18, at
 o'clock, at C. D., Stipendiary Magistrate.

FORM E.

No.	Absolute Fees Book, Vol. Fol.	Owner of Charge.	Parcels, Short Description.	Parcels, Book, Vol. Fol.	Date of Application.	Date of Registration.	List of Instruments.	Charge, Issue &c., if any.

FORM F.

Land Registry Ordinance.

FORM F.

No.	Charge Book, Vol. Fol.	Description.
		This is to certify that A. B. is entitled to land known as and more described in Absolute Fees Book Vol. No. (subject to In witness whereof I have signed this day of October, this day of (C. D.) Registrar General.

FORM G.

No. _____ Registered the _____ day of _____, 18_____, in
Book _____, Vol. _____, Folio _____, [A. B.] Registrar General.
(A. B.)

FORM H.

To _____ Land Registry Office,
Date, 18_____.
I hereby give you notice that I shall proceed to the Registration of
the title of _____ in respect of that piece of land
known as _____, notwithstanding the non-production of a certain
deed (describing the same), within _____ from the date hereof, unless you
object in writing thereto.

[E. F.] Registrar General.

FORM I.

I hereby certify that Instalment due in respect of
, has been paid, and that there remains a Balance of
unpaid.

To _____ (A. B.)
The Registrar General. Surveyor General.

FORM J.

CERTIFICATE OF TITLE.
No. _____

Certificate of Title	Name of Owner.	Absolute Fees Book Vol. Fol.	Date of Registration.	Parcels, Short Descriptn.
No				
Date.....18				
Name				
Absolute Fees Book, Vol. ... Fol.				
Property.....(A. B.)				
Registrar General.				

LIST OF INSTRUMENTS.

(A. B.) Registrar General:

I, A. B., of _____, in consideration of the sum of
Dollars, do hereby grant and convey (or transfer and assign) unto C. D., of
, and to his heirs (or executors administrators) and assigns, all
that piece of land _____ together with all my rights, powers,
estate and interest therein, as Registered in the Register of Absolute Fees (or
charges) Vol. _____, Folio _____, No. _____.

Dated this _____ day of _____, 18_____.
Signed, sealed and delivered, _____ A. B.
in the presence of E. F.

FORM L.

Land Registry Ordinance.

FORM L.

CERTIFICATE OF INDEFEASIBLE TITLE.

This is to certify that A. B. is absolutely and indefeasibly entitled in Fee Simple to that Piece of Land known as _____ and more particularly described in Absolute Fees Parcels Book, Vol. _____ Folio No. _____ (subject however to) _____

In witness whereof, I have hereunto set my Hand and Seal of Office, this
day of 18 .
(G. D. B. - Justice of the Peace)

(C. D.) Registrar General.

FORM M.

I. A. B., take issue on the Registration effected by
the Land known as _____ in the _____ Book, Vol.
Folio No. _____ I.A.B. Regd. Gases

(A. B.)

FORM N.

No. Register of Vol. Folio
satisfied (in whole or in part) and the particulars of such satisfaction are as follows:

FORM O.

Cancelled (in whole or in part) the day of
18 See Satisfaction Book, Vol. Folio (A. B.) Registrar General.

SECOND SCHEDULE.

	FEES.
Inspection or search of any Title on the Register.....	\$ 50
Application for Registration.....	50
Registration of any Absolute Fee.....	1 00
And One-fifth of One per cent. on the value of the Real Estate, where such value amounts to or is under Five Thousand Dollars, and One-tenth of One per cent. on the additional value, where such value exceeds Five Thousand Dollars.	
Registration of any Charge.....	1 00
And One-tenth of One per cent. on the value of Interest covered by the Charge.	
Every Certificate of Search for each Title	1 00
Filing any Issue.....	2 00
Sealing any Document, other than a Certificate.....	25
Cancellation of any Charge, &c.	1 00
Filing any Document other than Issue.....	50
Every Notice.....	50
Every Deposit of Map or Title Deeds	2 50
For every Transcript or Record of any Deed or Instrument, as provided for in Section XIV. of this Ordinance, per folio of One hundred words	25
For making certified copies of any Deed or Instrument of Record, per folio of One hundred words.....	25
For taking the Acknowledgment or Proof of Execution of any Instrument including the Certificate thereof. For every Acknowledgment or Proof including Oath	25
For administering an Oath	50
Every Certificate of Indefeasible Title	5 00

Land Registry Ordinance.

THIRD SCHEDULE.

FOR MAKER OF A DEED.

I hereby certify that personally known to me, appeared before me, and acknowledged to me that the Person mentioned in the annexed Instrument as the maker thereof, and whose name subscribed thereto as part that knows the contents thereof, and that executed the same voluntarily.

In testimony whereof I have hereto set my Hand and Seal of Office
at this day of
in the year of Our Lord One thousand Eight hundred and

FOR MARRIED WOMEN.

I hereby certify that A. B., personally known to me to be the wife of C. D., appeared before me, and being first made acquainted with the contents of the annexed Instrument, and the nature and effect thereof, acknowledged on examination, and apart from and out of hearing of her said husband, that she is the person mentioned in such Instrument as the maker thereof and whose name is subscribed thereto as party, that she knows the contents and understands the nature and effect thereof, that she executed the same voluntarily without fear or compulsion or undue influence of her said husband; that she is of full age and competent understanding, and does not wish to retract the execution of the said Instrument.

In testimony whereof I have hereto set my Hand and Seal of Office,
at this day of
in the year of Our Lord One thousand eight hundred and

FOR ATTORNEY.

I hereby certify that personally known to me, appeared before me and acknowledged to me that he is the person who subscribed the name of to the annexed Instrument as the maker thereof is the same person mentioned in the said Instrument as the maker thereof, that he knows the contents of the said Instrument, and that he subscribed the name of thereto voluntarily as the free act and deed of the said

In testimony whereof I have hereunto set my Hand and Seal of Office,
at this day of
in the year of Our Lord One thousand eight hundred and

FOR WITNESS.

I hereby certify that personally known to me
appeared before me, and acknowledged to me that
the person whose name subscribed to the annexed Instruments as Witness,
and having been duly sworn by me, did prove to me that
did execute the same in presence voluntarily.

In testimony whereof I have hereto set my Hand and Seal of Office,
at this day of
in the year of Our Lord One thousand eight hundred and

NOTE.—Where the person making the acknowledgment is not personally known to the Officer taking the same, instead of the words "personally known to me," insert the words "proved by the evidence on oath (or affirmation) of E. F."

VICTORIA, B. C.:
PRINTED AT THE GOVERNMENT PRINTING OFFICE.