

notice or service of any proceeding to or upon any party not appearing in the case shall be necessary unless specially ordered by the Court ; but if it be objected that any statement of fact in the certificate is false in any particular involving error or fraud on the part of the Registrar, or in his books, then the Registrar shall have notice of such objection, and may appear and defend his certificate, and obtain and fyle authentic copies of all deeds or other documents requisite to such defence, and if he be successful in defending his certificate, he shall have his full costs against the party disputing it ; and the Court may order any person interested to be called in (*mis en cause*) if the purposes of justice shall require it, and such party shall be then called in by service of such order personally or at his domicile, or by advertisement as by law provided if he be an absentee.

Court may order any party to be called in.

V. The collocation in favor of any non-opposant shall be to him and his legal representatives or *ayants cause*, and the amount thereof shall remain in the hands of the Prothonotary until he or they shall demand the same and give a valid discharge therefor.

Collocation to non-opposants.

VI. Nothing in the foregoing provisions shall prevent any party from consenting that the judgment of confirmation be given subject to his claim, or from fying an opposition if he think proper ; and no valuation by *experts* shall be requisite where the title to be confirmed by the judgment relates to property taken by the Crown for purposes of public utility, or by any Corporation or other party under any law authorizing the taking of such property without the consent of the owner, provided the price or compensation shall have been settled by arbitration or *expertise* under such law.

Act not to prevent certain things being done by consent.

Valuation not required in certain cases.

VII. No opposition shall be requisite in any case of Sheriff's Sale or Forced Licitation, in order to preserve the claim upon the price of the property in question under any such privilege or hypothec as is mentioned in the first section of this Act ; but the Sheriff having the execution, shall procure and fyle with his return to the writ,—or the party prosecuting such licitation shall procure and fyle in the Office of the Prothonotary of the Court having the distribution of the proceeds of the sale, and before such distribution shall be made,—a certificate of the proper Registrar, such as is mentioned in the third section of this Act, and made up to the day of the sale ; and such certificate shall have the same effect in preserving the claims founded on the privileges and hypothecs therein mentioned, as provided in the preceding sections with respect to judgments of confirmation of title, and shall be subject to the like incidents and provisions.

Oppositions not requisite in cases of Sheriff's sales to preserve privileges and claims mentioned in section 1.

VIII. Any provision of the Act first above cited, or of the Act 18 Victoria, chapter one hundred and ten, to regulate pro-

Inconsistent enactments repealed.