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PHASES OF QUEBEC LAW.

"Phases of Quebec Law," by "Victim," is the title of a pamphlet printed at Sherbrooke, which, as the preface states, is "an attempt to show, in narrative form, some of the features of our civil law imperatively calling for amendment." It purports to give the experience of a person who came from England and settled in this province. The new comer proceeded to employ his capital in loans at interest, on the security of real estate. The misfortunes of the lender are intended to illustrate defects in the law. Let us see what they were. "Victim" lost the amount of his first loan because the property securing it was sold for a trifle by the sheriff without his knowledge. The second loan was also lost, but in a peculiar way. "Victim," whom we shall call F., bid the property up when brought to sale, but was overbid by a person acting at the instance of a judgment creditor. The purchaser did not pay the price, and when the property was re-sold at his *folle enchère*, F. did not attend, and the property was then sold for a trifle to the judgment creditor. F. lost his third loan in consequence of the property securing it being sold for taxes, and the two years allowed for redemption had expired before he was aware of the sale. The fourth loan was lost in a more extraordinary manner. The borrower paid interest regularly for ten years, and then ceased to pay. F. found that he had sold the property soon after obtaining the loan, and the new owner had acquired a title by ten years' possession under his deed of purchase. The fifth loan was a small one of \$500, on a property valued at \$800. The mortgagor died. The property was brought to sale by a creditor. F. bought it in for \$800, and found that this amount was eaten up by expenses of last illness, costs of suit, and other privileged claims. The sixth and last loan was on personal security. The borrower repudiated his sig-

nature (a cross) to the note given by him, and F. was unable to prove his case because the witness to the signature did not believe in a future state of rewards and punishments, and his testimony could not be received under the law as it stands.

These are the six cases of hardship stated. The pamphlet, it may be observed, is written in an interesting style, and the points are easily apprehended. Now, although it is exasperating, and sometimes mortifying, to lose one's money through oversight or ignorance, that result is the usual one everywhere. Riches take to themselves wings; any fool can earn money, but it needs a wise man to keep it, are proverbial sayings. As to case No. 1, the law (43-44 Vict. c. 25) specially provides that a register for the addresses of hypothecary creditors must be kept in each registry office, and a notice must be sent by the registrar, by registered letter, to each hypothecary creditor, informing him that the immovable hypothecated to him is under seizure, and of the time when it will be sold. This disposes of case No. 1, because F. omits all reference to this provision. No. 2 is so peculiar that it hardly requires notice. After filing his opposition on the proceeds of the first sale, F.'s lawyer should have been on the look-out for his money, and should have been aware of the re-sale. Case No. 3, sale for taxes, is simply a case of want of vigilance. F. lends his money and allows the interest to fall three years in arrear. A person who embarks in a money-lending business ought certainly to know the law, or else act under advice of competent counsel. No. 4 is a very improbable case. A man who sold a mortgaged property would not be likely to go on paying interest for ten years on the loan, in order to avoid enquiry by the mortgagee. No. 5 is merely a case of imprudence in making a loan without sufficient margin. A person who makes a small loan must not imagine that the margin may be proportionately cut down. No. 6 presents a question of admissibility of evidence. We do not propose to enter into this question, but it may be observed that if it were left to the judge or jury to admit all evidence, and appreciate the value of it, we might have different judges acting upon