

XXXIII

CIVIL AND CRIMINAL LAWS

Our civil law is the French civil law, as it stood before the French revolution, with the addition of some provisions of the Code Napoleon, which have been inserted into ours. With us, the right to will is unlimited ; each citizen is free to dispose of his property by testament as he pleases. Community of property between husbands and wives still exists in our province, where there have been no stipulations to the contrary, together with the continuation of the community after the decease of one of the consorts, which has been abolished in nearly all the countries of Europe.

Our criminal law is the common law of England, as modified from time to time by the laws of the Federal Parliament, which has exclusive powers of legislation as regards criminal matters. These powers are to-day greater than ever, as the right of appeal to England in criminal cases has been abolished. As already stated, the *habeas corpus* forms part of our criminal law.

XXXIV

HYPOTHECARY LAWS

Our law concerning the registration of real rights is as perfect as it is possible to imagine. With our system of cadastration and registration, a few instants are enough to ascertain all the charges and encumbrances upon any immoveable. The designation of the property can give rise to no mistake, as it is all described at length in the books of reference and on the plans of the cadastre deposited in each registry office and represented by a number in its order ; it is sufficient to mention this cadastral number in a deed of mortgage and the name of the place in which the property is situated. The capitalist, who lends money on mortgage with a knowledge of all the facts, is perfectly safe, and all the more so because once the cadastre is definitely in force in a locality, the titles of the proprietors appearing therein as such become unassailable and the mortgages which have not been renewed become null and void or only rank after others of later date. In this respect, the province of Quebec offers incontestable guarantees to the investment of foreign capital.

*Decentralization*

A French writer has said that " in a democratic society, to limit liberty, we must divide its action by multiplying the centres of local independence, and by reuniting them by hierarchical intermingling. " This is precisely the