

majority of them, shall value the property, and report the value thereof on oath, in writing under their hands, to the Court ;

Price or value
to be paid in.

4. And if the value so reported be either less than or not greater than the price paid in by the Applicant as aforesaid, such price shall be deemed to be the value of the property, and the judgment shall be pronounced purely and simply ;—but if the value so reported be greater than such price, or if there be no price mentioned in the title to be confirmed, the Applicant shall pay into Court the difference between the price and the value so reported or the whole of the value if there be no price, and the judgment shall then be pronounced purely and simply. 5 10

Life rents,
and contin-
gent hypo-
thecs. &c.,
how dealt
with.

7. All life rents (*rentes viagères*) and any hypothec whatever payable in kind or otherwise than in money, found to be chargeable upon the property, the title to which is to be confirmed, shall be valued in money, and the payment thereof to the party entitled thereto shall be secured, or otherwise dealt with according to law and the practice of the Court, in order to the distribution to be made in the case, as shall also any hypothec found to be so chargeable, but depending upon some contingency, event or condition which has not then occurred, or the amount of which is not fixed or valued, or which requires to be valued or ascertained in order to its being payable ;—And any person or persons may be called into Court and made parties to the cause as hereinafter provided, for the purposes of this section. 15 20 25

Calling par-
ties into
Court.

Distribution
of price or
value.

8. The price or value, so paid into Court, shall be distributed by the Court in due course of law, among the opposants (if any) and the privileged and hypothecary creditors mentioned in the Registrar's certificate, according to the order and rank of their respective privileges and hypothecs, and as if each of them had filed an opposition according to the practice heretofore in use : 30

Effect of Re-
gistrar's certi-
ficate.

2. The Registrar's certificate shall be *prima facie* evidence of the facts therein mentioned ; but any such fact, or any matter to which such certificate relates may be disputed, or the payment or part payment, prescription, or extinction in any way, and in whole or in part, or the non-exigibility for any cause or reason whatever of any hypothec mentioned in the Registrar's certificate, may be alleged and pleaded by any party interested, and the Court may then receive evidence contradicting or modifying any statement or the effect of any statement in such certificate and give judgment accordingly, and no notice of any such proceeding, to or upon any party not appearing in the case shall be necessary unless specially ordered by the Court ; 35 40 45

What may be
pleaded
against it, &c.

Notice to Re-
gistrar in cer-
tain cases.

3. But if it be objected that any statement of fact in the certificate is false in any particular involving error or fraud on the