

The Legal News.

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LEGISLATION AT QUEBEC.

The present session has produced an unusual number of suggestions for the amendment of our civil law. Besides those noticed in our last two issues, Hon. Mr. Chapleau, Q.C., has introduced a bill respecting the sale of immovables by sheriffs in the Province of Quebec. It proposes to enact that, "whereas certain formalities required by law, have been omitted in certain sales of immovables made by the sheriffs in their official capacity, and whereas such omissions may occasion serious inconvenience to the purchasers;"

"1. In the registration divisions in which official plans and books of reference are in force, all Sheriffs' titles respecting real estate situated within such divisions, *procès verbaux* of seizures of the said properties, advertisements, publications and notices posted up, in which the properties seized and sold have not been designated by the numbers shown on such official plans and books of reference, are hereby declared valid for all legal purposes whatsoever, notwithstanding any law to the contrary, and specially articles 638, 648, 650 and 689 of the Code of Civil Procedure, and every law or statute amending the said articles; provided however that a notice indicating the official numbers of the properties described in the titles shall have been given, within six months from the passing of the present act, to the registrars of such registration divisions by the Sheriffs or any of the parties interested.

"2. This act shall not affect pending cases, and shall come into force on the day of its sanction."

Hon. Mr. Ross has introduced a bill to amend Arts. 2 and 3 C. C. P., respecting non-judicial days. The provisions are as follows:—

"1. The word "Governor" in the second article of the Code of Civil Procedure means, indifferently, the Governor-General of Canada

or the Lieutenant-Governor of this Province, as the case may be.

"2. The first of July, the anniversary of the day on which the British North America Act came into force, shall, in future, be considered a non-judicial day as if it had been mentioned in article 2 of the said Code, and if the first of July should happen to fall on a Sunday, then the second of July shall be considered a non-judicial day.

"3. Proceedings and sales which have taken place on a day of Thanksgiving, ordered either by the Governor-General or the Lieutenant-Governor, prior to the passing of this act, shall be deemed valid as if they had taken place on the day following such Thanksgiving day.

"4. Article 3 of the said Code applies to sales announced to be made by authority of justice.

"5. The present act shall, in so far as it shall apply, form part of the said act respecting the interpretation of the statutes of this Province, 31 Vict. Cap. 7.

"6. Nothing in this act shall apply to any objection already raised before the Courts in any case now pending.

"7. The present act shall come into force on the day of its sanction."

With a view to secure the publicity of seizures of real estate, Mr. Wurtele, Q.C., has introduced a bill with the following clauses:—

"1. As soon as the sheriff of any district has made a seizure of real estate, he shall transmit to the registrar of the registration division wherein it is situate, a notice thereof; and the registrar shall, on receipt of such notice, register and index the same.

"2. The registrar shall, until the said notice of seizure is cancelled, mention it in all certificates demanded of him, either against the real estate described in such notice or against the judgment debtor upon whom the real estate was seized.

"3. When the seizure is followed by judicial expropriation, the registration of the notice shall be cancelled by the registration of the sheriff's deed of sale, and the registrar shall make mention thereof in the margin of its entry.