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No. 192.

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4th Session, 8th Parliament, 29th Victoria, 1865.

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**BILL,**

An Act to amend chapter eighteen of the Consolidated Statutes for Lower Canada, intituled: "An Act concerning the erection and division of Parishes, and the building and repairing of Churches, Parsonage-houses, Church-yards and Fabrique Meetings."

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Received and read, first time, Monday, 28th August, 1865.

Second reading, Tuesday, 29th Aug., 1865.

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Mr. POPE.

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**QUEBEC:**

PRINTED BY HUNTER, ROSE & CO.,  
ST. URSULE STREET.

An Act to amend chapter eighteen of the Consolidated Statutes for Lower Canada, intituled : "An Act concerning the erection and division of Parishes, and the building and repairing of Churches, Parsonage Houses, Church Yards and Fabrique Meetings."

HER MAJESTY, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :—

1. The thirty-second section of the Act chaptered eighteen of the Consolidated Statutes for Lower Canada, intituled : "An Act concerning the erection and division of Parishes and the building and repair of Churches, Parsonage-houses, and Church-yards and Fabrique Meetings," is hereby repealed, and the following section shall be and is hereby substituted instead thereof :

Sec. 32 of  
cap. 18 of  
Con. Stat.  
L. C. repealed

"The amount of any assessment on any land to defray the expenses of the construction or repair of any Church, Sacristy, Parsonage-house or Church-yard, shall be a privileged debt, and shall be a hypothec upon such land subject to enregistration, when the same belongs to a person, as lawful proprietor thereof,—professing the Roman Catholic Religion, and the ordinary rules of law applicable to mortgages in Lower Canada, and the sixth section of the Act twenty-seventh Victoria, chapter ten, shall apply to this section in the same manner as it has applied to the section hereby repealed."

New section.

2. It shall be lawful for the Registrar of the Registration Division, within which the land so assessed for any of the purposes mentioned in the preceding section of this Act is situate, to enregister at full length any act of assessment made by the trustees under the herein first-cited Act, after the same has been duly homologated by the Commissioners in conformity with the provisions of the said cited Act, and a copy of such act of assessment as homologated, certified to be a true copy by the Commissioners homologating the same, shall be received by such Registrar as sufficient for the purposes of registration, and the registration of such act of assessment shall have the effect of securing priority of such assessment as a mortgage upon the land assessed from the date of the registration thereof, in the same manner as any other hypothec affecting real property secures to the mortgagee, prior rights to other privileged creditors according to their respective duties of registration ; Provided nothing herein contained, shall be held to give such assessment, under any circumstances, a privilege prior to, or a right to be paid out of the property assessed, prior to that of the vendor for the price or balance of price due for the purchase of such property.

Duty of Registrar in respect of acts of assessment.