

C H A P. 73

An Act to amend the act to validate certain notarial deeds

[Assented to, the 29th of December, 1922]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The English version of section 1 of the act 9 George 9 Geo. V, c. V, chapter 73, is amended by replacing therein the words: ^{73, s. 1,} “from and after”, in the fifth line thereof, by the word: ^{English} “before”. ^{version, 'am.}

2. This act shall come into force on the day of its ^{Coming into} sanction. ^{force.}

C H A P. 74

An Act to amend the act respecting the acquisition and alienation of immoveable property by corporations and persons in mortmain

[Assented to, the 29th of December, 1922]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The act 8 George V, chapter 77, is amended by in- 8 Geo. V, serting therein, after section 5 thereof, the following ^{c. 77, s. 5a,} section: ^{added.}

“**5a.** In the case of acquisition of an immoveable without Privileges of authorization by persons in mortmain or by a corporation ^{the acquirer} whose capacity in this respect is limited, as well as in the ^{or of the hy-} case of the hypothecation or alienation of an immoveable ^{potheary} without authorization by persons in mortmain, any ac- ^{creditor in} quirer or hypothecary creditor, as the case may be, may ^{the case of} benefit from the above provisions and request in the ^{the aliena-} name of the corporation or persons in mortmain the special ^{tion, etc., of} permit, which the latter omitted, neglected or refused to ^{an immove-} request in relation to the immoveable acquired or aliena- ^{able by per-} ted, or the hypothec constituted. ^{sons in}

Such request shall be subject to the formalities set forth ^{Formalities} in the preceding provisions, *mutatis mutandis*, and the ^{thereto.} permit granted upon such request shall have the same

effect, counting from its date, as that issued under the said preceding provisions.

Coming into
force.

2. This act shall come into force on the day of its sanction.

C H A P. 75

An Act to amend article 29 of the Code of Civil Procedure

[Assented to, the 29th of December, 1922]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

C. C. P.,
art. 29, am.

1. Article 29 of the Code of Civil Procedure, as amended by the acts 4 Edward VII, chapter 46, section 1; 2 George V, chapter 46, section 1, and 4 George V, chapter 67, section 1, is again amended by adding thereto the following paragraphs:

Members of
the Bar, etc.,
as commis-
sioners.

“Members of the Bar, regularly entered on the roll of their profession, practising notaries in this Province, and justices of the peace are *ex officio* authorized to act as commissioners of the Superior Court.

Oath.

They shall, however, before acting as such, take oath before the prothonotary of the district who shall deliver them a certificate instead of the commission mentioned in article 26*a*, and upon the same conditions; the names of the persons who conform to these requirements shall be entered in the register of the commissioners of the Superior Court, kept by the prothonotary under the said article 26*a*.

Names re-
gistered.

Such com-
missioners
cannot take
certain affi-
davits.
Exception
for notaries.

Such commissioners cannot receive the affidavits of their relations to the degree of cousin-german, inclusively, nor those of the parties whom they represent in any suit or non-contentious proceeding, with the exception, for the notaries, of the cases where authorized by law thereto.”

Coming into
force.

2. This act shall come into force on the day of its sanction.