

C H A P . 79

An Act to amend the Code of Civil Procedure respecting
the forced sale of immoveables

[Assented to 9th February, 1918]

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. 700a, enacted. **1.** The following article is inserted in the Code of Civil Procedure, after article 700 thereof, to wit:

Seizure and sale, *en bloc*, of subdivisions remaining in hands of hypothecary debtor.

“700a. Whenever an immoveable property which has been sold is subsequently divided into several lots in accordance with the provisions of article 2175 of the Civil Code, the vendor or his assignee who has preserved, on the original lot, a hypothec for the whole or part of the price of sale, and who has a judgment against his debtor, the holder of the immoveable hypothecated, may obtain from a judge of the Superior Court, on a petition to that effect, and on such conditions as the judge may be pleased to impose, authorization for the seizure and sale, *en bloc*, under the original number, as if they formed a single lot, of all the lots which so form part of the original lot and which are still the property of the debtor condemned by the judgment, and which are not affected by any hypothec or real right—other than the vendor’s hypothec—granted and registered before the date of the institution of the action which has been followed by the judgment the execution of which is sought.

Sheriff’s fee. In such case the sheriff shall be entitled, for the seizure and sale, only to the fee fixed by the tariff for the seizure and sale of one immoveable.”

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

