

b. The registrar shall then prepare his index to immove-ables, for such property or portion of a property thus cadastrated, in his index book for the sub-divisions ; Index to immoveables.

c. On certificate of the registrar of the deposit of the plan and book of reference of such subdivision so made, the Lieutenant-Governor in Council shall issue a proclamation, by which he shall order that all the hypothecs particularly affecting any of the lots mentioned in the said plan and book of reference, and not including the hypothecs affecting the whole property so divided, be renewed within a delay of one year, to be computed from the day fixed in such proclamation, and, in default of such renewal being made, any person who has not conformed to the provisions of this section shall lose his rank or priority of hypothec. Proclamation, &c.

d. The registrar shall, thereupon, immediately send, by registered letter, to each creditor having a hypothec particularly affecting any of the lots mentioned in the said plan and book of reference, whose name is entered in the register of addresses, a notice informing him of the issue and contents of such proclamation. Sending of notice to hypothecary creditors.

e. The cost of such plan and book of reference shall be borne by the persons interested. Cost of plan, &c.

2. The provisions of this act shall only apply to facts anterior to the sanctioning thereof, and must not be interpreted as permitting, for the future, the making of plans and books of reference, otherwise than in conformity with the provisions of the said article 2175. Scope of act.

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

C H A P . 4 9

An act to amend the law respecting registrars and the inspection of registry offices.

[Assented to 14th March, 1911]

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

1. Article 7513 of the Revised Statutes, 1909, is amended by adding the following paragraph : R.S.Q., 7513, am.

“ 4. The clerk of the peace shall also on receipt of such oaths, transmit a copy thereof to the proper registrar, with Transmission of copies of oaths, &c.

a certificate attesting that they have been deposited among the archives of his office ; and such copy and certificate shall be kept in the registry office. ”

Id., 7516,
am.

2. Article 7516 of the said statutes is amended by adding the following paragraph :

“ This provision also applies to every deputy registrar. ”

Id. 7521-
7528, rep-
laced.

3. Subsection 16 of section 18 of chapter 1 of title 12 of the said statutes, comprising articles 7521 to 7528 is replaced by the following :

“ §16,—*Inspectors of Registry Offices.*

I.—THEIR APPOINTMENT.

Appoint-
ment of
inspectors.

“ **7521.** The Lieutenant-Governor in Council may appoint competent persons not more than two in number, with such salary not exceeding two thousand dollars a year, as he shall see fit, to visit the registry offices and vaults or safes which municipalities are obliged to procure and maintain under articles 515, 516, 517, and 517*a* of the Municipal Code.

Their func-
tions, &c.

“ **7522.** Each of such inspectors is a public officer known as “ inspector of registry offices ”. He shall hold office during good behaviour, and shall, before entering upon his duties, take the ordinary oaths of allegiance and of office, in accordance with the forms F and G, before one of the judges of the Superior Court or a commissioner *per dedimus potestatem*.

Powers of
Attorney-
General.

The Attorney-General may, at any time, assign to each of the inspectors, such part as he may think fit of the duties which are by this subsection assigned to the inspectors. He may also require one of such inspectors to perform the duties which had been assigned to the other of them, or which are usually performed by the latter.

II.—THEIR POWERS AND DUTIES.

Uniformity
in books, &c.

“ **7523.** Such inspectors may order the alterations permitted by law, and which are necessary to secure uniformity in the keeping of the books and registers of registry offices, and to render them more efficient.

Form for
index of im-
moveables.

“ **7524.** In offices where there is no index to immoveables, the inspectors shall supply the registrar with a form, which the latter shall follow in preparing such index, in accordance with form H. so that such registrar shall be in a position, when applied to for searches, to ascertain, by simply

glancing at the index, the charges existing upon any immoveables entered in the cadastre.

“ **7525.** In offices where there is an index to immoveables, the inspectors shall furnish the same form to the registrar, and the latter shall follow the same and conform thereto, so soon as the volumes of his index are filled up and require to be renewed. Duty of registrar as to index, &c.

If, in any registry office, the volumes containing the index to immoveables are not filled up or renewed before the 1st of January 1913, it shall nevertheless be the duty of the registrar to have, by that time, an index to immoveables made according to Form H.

“ **7526.** The inspectors shall visit the registry offices, whenever the same shall be necessary, in order to be assured that the books and registers of such offices are kept correctly and according to law ; that the registration stamps are duly affixed to the deeds, copies, certificates and books of searches ; that the registrar's security is valid ; and that every registrar has a deputy, duly appointed and sworn ; and if a registrar is in default in any of the above particulars, shall inform the Government thereof. Inspections.

They shall also, when thereto required by the Attorney General, hold an inquiry into the conduct of any registrar, his deputies or employees, whenever in the public interest such inquiry should be held ; and they have, respecting such inquiries, all the powers of the commissioners named in virtue of chapter fourth of title third of these Revised Statutes (articles 584 to 599). Inquiries.

“ **7527.** The inspectors shall make a general report of their visits to the Lieutenant-Governor in Council, and, in such report, shall specify the alterations which they may deem necessary in order to give the index to immoveables the required efficiency and to secure uniformity in the keeping of the books and registers of registry offices. Reports.

“ **7528.** The inspectors may also, if need be, order the registrar to re-copy any index of names, which may be in a state of dilapidation, from age or from wear and tear, to such an extent as no longer to guarantee the correctness of the searches made therein. Re-copying index, &c.

Such copy shall be made as carefully as possible, and by referring to the registers for such portions of the index then being recopied as are illegible. How done.

“ **7528a.** The salaries of the inspectors of registry offices Salaries, &c. of inspectors

and their travelling and other expenses necessary for the performance of their duties, shall be payable by warrant of the Lieutenant-Governor out of the consolidated revenue fund of the Province. ”

Amend-
ments to
forms.

4. Forms F and G of section eighteenth of chapter first of title twelfth of the said statutes are replaced by the following:

“ F.—(*Article 7522*)

Oath of Allegiance of Inspectors.

I, A. B., do sincerely promise and swear that I will be faithful and bear true allegiance to His Majesty, the King : So help me God.

G.—(*Article 7522.*)

Inspectors' Oath of Office.

I, A. B., appointed inspector of registry offices in the Province of Quebec, solemnly swear I will faithfully perform and execute the duties of such office according to law : So help me God.”

Id., 594. am.

5. Article 594 of the said statutes is amended by replacing the words “ the inspector of registry offices ” in the third line, by the words “ any inspector of registry offices. ”

Coming into
force.

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

CHAP. 50

An Act to amend the Code of Civil Procedure respecting the making of rules of practice.

[*Assented to 14th March, 1911*]

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

C.C.P., 37,
am.

1. Article 37 of the Code of Civil Procedure is amended by inserting after the word “ coroners ” in the third line, the word “ bailiffs. ”