

Workmen upon things repaired by them, and persons having a privilege in virtue of article 1994c;

Purchasers against whom the right of redemption is exercised, for the reimbursement of the price and the moneys laid out upon the property.

This privilege cannot, however, be exercised unless the right is still subsisting, or could have been claimed at the time of the seizure, if the thing has been sold." Proviso.

35. The following article is inserted in the said Code, after article 2005 : Art. added after C. C., 2005.

"**2005a.** The owner of a thing who has lent, leased or pledged it, and who has not prevented its sale, has a right to be paid the proceeds of its sale, after the claims mentioned in articles 1995 and 1996, and the claim of the lessor, have been collocated. Right of owner to be paid out of proceeds of sale, &c.

The same rule applies to the owner of a thing which has been stolen, who would not have lost his right to revendicate it, had it not been judicially sold."

36. The following article is inserted in the said Code after article 2006 : Art. added after C. C., 2006.

"**2006a.** The privileges of the Crown are defined by special statutes." Privileges of Crown.

37. Article 2181 of the said Code is replaced by the following : C. C., 2181, replaced.

"**2181.** Every register for registration must, before any entry is made therein, be authenticated in the manner prescribed in the Code of Civil Procedure. Authentication of registers for registration.

38. Article 2271 of the said Code, article 2272 of the said Code as contained in article 5852 of the Revised Statutes, and articles 2273, 2274, 2275, 2276, and 2277, of the same Code, are repealed. C. C., 2271, to 2277 repealed.

39. This Act shall come into force on the day which the Lieutenant-Governor in Council may be pleased to fix by proclamation. Coming into force.

CAP. LI.

An Act respecting Stenographers in the Superior Court

[Assented to 9th January, 1897.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Appointment
of stenogra-
phers.

1. The Lieutenant-Governor in Council may appoint, in each judicial district, as many stenographers as he deems necessary.

Who may act
thereafter.

Only the persons so appointed are qualified to act as stenographers in causes instituted before the Superior Court and the appealable Circuit Court ; but the judge may, whenever it is established to his satisfaction that no stenographer is available to take any deposition, permit the employment of a stenographer other than those so appointed.

Salary of ste-
nographers.

2. The Lieutenant-Governor in Council may assign to each stenographer such annual salary as is deemed proper.

Oath of office,
&c.

3. Before entering upon his duties, each stenographer must take, before the judge or the prothonotary, the following oath of office, which is inscribed in a register kept in the office of the prothonotary of the Superior Court for the district for which the stenographer is appointed :

“ I, A. B., swear that I will faithfully take notes of the depositions and other proceedings, under the direction of the judge, in every case wherein I shall act as stenographer, and that I shall read and transcribe them according to law, without changing their meaning. So help me God.

A. B.,
Stenographer.”

Officers of the
court.

4. Stenographers are officers of the court.

Their duties.

They must take down, by means of stenography, the depositions given in causes instituted before the Superior Court and the appealable Circuit Court, under the direction of the judge, and read and transcribe them as provided by law ; they must also take notes of the other proceedings in such causes, whenever required by the judge to do so, and fulfil all other duties assigned to them by law or from time to time by the Attorney-General.

Control over
stenogra-
phers.

5. The judge, in each district, or, in districts where there are several judges, the chief-justice or the judge who discharges the duties of the chief-justice, has control of the stenographers in such district, and may make, modify and replace rules determining the manner in which the stenographers must discharge their duties.

Stenogra-
pher may be
sent to other
districts in
certain cases.

6. If the despatch of business in a district so requires, or if one or more stenographers attached to a district are for any reason incapable of therein fulfilling their duties, the Attorney-General may send thereto any one or more stenographers from any other district, who thereupon act as though they had been appointed for the district for which their services are required.

Upon the order of the judge, the stenographer attached to a district must act as such in the circuits within such district. His duty in circuits.

Travelling expenses incurred by stenographers in the cases provided for by this section, shall be paid in the manner determined by the Attorney-General. Allowance in such case.

7. The Lieutenant-Governor in Council may make, modify and replace tariffs of fees for the taking down by stenography of depositions and other proceedings, as well as for their transcription, and may make all necessary rules for securing the payment and the collection of such fees. Tariff of fees for stenographers.

Except in the case of stenographers who receive no salary, such fees belong to the Crown. Fees to belong to Crown, &c.

8. Salaries of stenographers, and expenses contingent upon the execution of this act, shall be paid out of the Consolidated Revenue Fund of the Province. Salaries, &c., how paid.

9. This Act shall come into force on the day fixed for that purpose by proclamation of the Lieutenant-Governor in Council. Coming into force.

C A P . L I I .

An Act to abolish the continuation of community, to create legal usufruct in certain cases, and for that purpose to amend articles 1323 to 1337, inclusively, of the Civil Code.

[Assented to 9th January, 1897.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Articles from 1323 to 1337, both inclusively, of the Civil Code, are repealed and replaced by the following : C. C., 1323 to 1337, replaced.

“ **1323.** After the dissolution of the community by death and in the absence of any will to the contrary, the surviving consort has the enjoyment of the property of the community coming to their children from the deceased consort; such usufruct lasts as to each child until he is of the age of eighteen years or until he is emancipated. Usufruct of surviving consorts and term thereof.”

“ **1324.** The obligations incurred by this enjoyment are : Obligations of usufructuary.

1. Those to which usufructuaries are held ;
2. The food, maintenance and education of the children, according to their fortune ;