

to remove such doubts; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, declares and enacts as follows :

1. The commission which the sheriffs of the various districts in this Province have a right to collect on judicial sales is, and always has been, two and one half per cent., which said commission has been lawfully taken since the coming into force of the said Revised Statutes and shall continue to be so taken.

Authority given to sheriffs to collect certain commission.

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

Coming into force.

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C A P. X L I I.

An Act to amend article 705 of the Code of Civil Procedure, respecting the payment of registrar's certificates.

[Assented to 24th June, 1892.]

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

1. Article 705 of the Code of Civil Procedure is amended by striking out, in the fourth line, the following words : "and the costs of the certificate of hypothecs," and by adding thereto the following paragraph :

C. C. P., art. 705, amended.

"The registrar is collocated by privilege, in the report of distribution and collocation, for the costs of the certificate of registrations, without the prothonotary being granted a fee for such collocation."

Collocation of registrar for certificates.

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

Coming into force.

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C A P. X L I I I.

An Act to amend certain provisions of the Code of Civil Procedure respecting abandonment of property.

[Assented to 24th June, 1892.]

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

1. Article 763a of the Code of Civil Procedure, as added to by article 5953 of the Revised Statutes of the Province of Quebec, is amended, by adding thereto the following words :

C. C. P., art. 763a, and R. S. Q., art 5953, amended.

Sworn claim with vouchers to be produced. "A claim under oath accompanied by vouchers must be produced at the office of the Prothonotary with this demand.

If demand has been served upon a woman. If the demand has been served upon a woman who is a trader, and it is not complied with, proceedings may be had under article 780 for the appointment of a guardian and curator.

Declaration to be deposited by debtor after demand. The debtor, upon whom such demand of assignment has been made, shall, without delay, deposit, at the place where by law the assignment should take place, a declaration that he consents to abandon all his property to his creditors and file his statement within the three days following such demand."

C. C. P., art. 764, and R. S. Q., art. 5954, amended. 2. Article 764 of the said code, as contained in article 5954 of the said Revised Statutes, is amended by replacing the first two lines by the words: "The statement shall be sworn to by the debtor and shall show".

C. C. P., art. 768, and R. S. Q., art. 5956, amended. 3. Article 768 of the said code, as contained in article 5956 of the said Revised Statutes, is amended by replacing the words: "Immediately after the filing of the statement," in the first line, by the words: "Immediately after the filing of the statement or of the simple declaration made in virtue of article 763a, as amended".

The same, further amended. 4. The said article 768 is further amended, by adding the following words, at the end of the third clause: "as well as one or more inspectors," and by striking out the two clauses before the last and replacing them by the following:

Calling of meeting of creditors. "A meeting of the creditors is called before the court or the judge, by a notice forwarded to each of them by registered letter and inserted in a newspaper published in the district, or in a neighbouring district, if there be none in the district.

Time for holding meeting. Such meeting shall be held between the fifth and fifteenth days after the publication and sending of the notice calling the same.

Appointment of curator and inspectors. The court or the judge shall name the curator and the inspectors, chosen by the majority in number and in value of the creditors present or represented at such meeting, and who have produced a sworn claim.

If the majority in number does not agree with the majority in value, the court or the judge shall decide between the two, as he thinks proper."

Art. added after C. C. P., art. 772. 5. The following article is added after article 772 of the said code:

"**772b.** The court, the judge or the prothonotary, in the absence of the judge, upon the application of the inspectors or of a creditor, may order that the debtor, his manager, his employees, his or her husband or wife, as the case may be, be examined under oath touching his statement and the position of his affairs, and if the person summoned refuses to appear or to answer, he shall be deemed to be in contempt of court and treated accordingly." Examination of debtor, &c., may be ordered upon certain application.

**6.** The first paragraph of article 773 of the said code is replaced by the following: C. C. P., art. 773, amended.

"The curator, with the consent of the inspectors, or any creditor, may contest the deed of assignment, by reason of contestation of deed of assignment."

## CAP. XLIV.

An Act to further amend the Municipal Code.

[Assented to 24th June, 1892.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

**1.** Article 176 of the Municipal Code, as contained in article 6061 of the Revised Statutes of the Province of Quebec, is replaced by the following: M. C., art. 176, and R. S. Q., art. 6061, replaced.

"**176.** The auditors are bound, in the month of January in each year, to make an examination of, and to report to the council, before the twenty-fifth day of the same month, respecting all accounts of the corporation and all accounts relating to any subject falling within the jurisdiction of the council. Yearly examination of accounts, &c., by auditors in January.

The council may require the auditors to make other similar examinations and to report at any time during the year." Other auditing during year.

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