

CAP. LIII.

An Act to extend the provisions of article 2175 of the Civil Code respecting certain cadastral subdivisions.

[Assented to 2nd April, 1890.]

WHEREAS certain lands have been up to the present time subdivided and sold in lots, without plans and books of reference having been previously prepared in accordance with article 2175 of the Civil Code or in compliance with the acts 38 Victoria, chapter 15, section 2, and 48 Victoria, chapter 26; and whereas serious inconvenience has been thereby occasioned to the present holders of such lands; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

I. In the case where a property, before the passing of this act, has been, in whole or in part, subdivided and sold by lots, without there having previously been a plan and book of reference prepared according to article 2175 of the Civil Code, or in compliance with the acts 38 Victoria, chapter 15, section 2, and 48 Victoria, chapter 26, the Commissioner of Crown Lands may, on requisition addressed to him by a majority of the persons interested, permit that a plan and a book of reference of the subdivision of such property or portion of a property be made; provided that the following formalities be observed:

a. A plan shall be made, bearing numbers as ordinary subdivisions, also a book of reference corresponding therewith, which shall be signed and certified as correct by the majority of the parties interested, and addressed, with a copy of such plan and book of reference to the Commissioner of Crown Lands, who shall keep the original, and remit such copy, certified by him, to the registrar of the registration division;

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

c. On certificate of the registrar of the deposit of the plan and book of reference of such division 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

Preamble.

Cadastral subdivision after sales.

Plan and book of reference to be prepared &c.

Index to immovables.

Proclamation to be issued after certain certificate of deposit.

Renewal of hypothecs thereafter.

to the provisions of this section shall lose his rank or priority of hypothec.

d. The cost of such plan and book of reference shall be borne by the persons interested.

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.

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

C A P. L I V.

An Act to amend the Civil Code relating to registrars' certificates in certain cases.

[Assented to 2nd April, 1890.]

Preamble.

WHEREAS, in places in the Province where there are no separate official numbers given to the lands belonging to railways, registrars, when required to give certificates respecting the lands traversed by any such railway, are obliged by law to mention the judgments and hypothecs registered against such railway, thereby occasioning useless expense and trouble to the parties interested, and whereas it is urgent to remedy this state of things ;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The following paragraph is added to article 2177 of the Civil Code :

"Nevertheless, in places where there are no official numbers given to the lands belonging to railways, registrars, when required to give certificates respecting the lands traversed by any such railway, are not bound to mention the judgments and hypothecs registered against such railway, unless specially requested so to do."

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