

CAP. XXVII.

An Act to amend the act of this Province, 44-45 Victoria, chapter 17, intituled : “ An Act to secure the payment of builders and workmen.”

[Assented to 12th July, 1888.]

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

44-45 V., c. 17,
s. 2, replaced.

1. Section 2 of the act of this Province, 44-45 Victoria, chapter 17, is replaced by the following :

Workman un-
paid may pro-
duce claim to
proprietor.

“ 2. It shall be lawful for every workman who is unpaid to produce, in the presence of a witness, to the proprietor who gave the work out to contract, his claim in duplicate in the form of schedule B ; and from the time such claim shall be so produced, the sum then due upon the price or value of the contract shall be deemed to be seized in the hands of the proprietor *pro rata* up to the amount of the claim of the workman.

Effects of
such produc-
tion.

Suit after cer-
tain time.

Five days after the production of such claim, if the claim of the workman have not been paid, the latter may proceed judicially against the contractor who employed him, making the proprietor a party to the suit.

Payments
after produc-
tion of claim.

Payments made by the proprietor after the production of the claim cannot be opposed to the workman's claim.”

CAP. XXVIII.

An Act providing for the appointment of commissioners to receive affidavits in foreign countries and amending the Code of Civil Procedure to that effect.

[Assented to 12th July, 1888.]

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

Art. added
after C. C. P.
30.

1. The following article is added after article 30 of the Code of Civil Procedure :

Lieutenant-
Governor may
appoint com-
missioners for
receiving affi-
davits in
foreign coun-
tries.

“ 30a. The Lieutenant-Governor in Council may appoint one or more advocates or counsellors-at-law residing and practising their profession in any foreign country to act as commissioners and there administer oaths and receive affidavits, declarations, affirmations in any deed or document to be carried into execution or to have its civil effect in the Province of Quebec.