

or employer, and such apprentice, servant or journeyman, were bound to each other.

10. All penalties imposed by this act, when paid, shall be handed over to the sheriff of the district within which the offence was committed, to form part of the building and jury fund. To whom fines are paid.

11. The prosecution for any offence against the provisions of this act shall be commenced within three months after the offence has been committed, and not after. Prescription of suits.

12. This act shall apply to all parts of the province, except to the cities of Quebec and Montreal and to all other incorporated cities, towns and villages which have passed or may hereafter pass by-laws regulating the relations of master and servant. Application of act.

13. Chapter twenty seven of the consolidated statutes for Lower Canada, chapter thirty four of twenty nine and thirty Victoria and chapter twenty of thirty three are hereby repealed. C. S. L. C. c. 27, 29-30 Vic., c. 34 and 33 Victoria Vic., c. 20, repealed.

C A P . X V I .

An Act to order the registration of customary dowers and servitudes in certain cases not provided for by law.

[Assented to 30th June, 1881.]

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

1. Article 2116 of the Civil Code shall, in future, apply to customary dowers created before the 1st of August, 1866, on which day the code came into force. Art. 2116, C. C. to apply to certain customary dowers.

2. Nevertheless, a delay of two years, counting from the coming into force of this act, is granted to parties interested in maintaining such dowers in order to enable them, in the event of its not being already done, to effect the enregistrement mentioned in the said article 2116, after which delay such dowers, if not registered, shall be null and void and have no effect as regards third parties who shall have become proprietors or creditors subsequent to the passing of this act, and who shall have enregistered the titles giving them a claim upon the immovables originally subject, or which may have since become subject, to dower. Delay allowed to enregister.

Immoveables devolving to husband after such delay subject to registration.

3. As to immovables which may devolve upon the husband and become, after such delay of two years, subject to any dower then maintained by being enregistered at the proper time, they shall remain subject to the enregistration prescribed by the said article 2116.

Who may avail themselves of registration.

4. Third parties, who shall have subsequently become proprietors or creditors and shall have enregistered their titles, may nevertheless alone claim the benefit of the default of registration, with respect to immovables so acquired by the husband after the said two years.

Effect of want of registration as to certain servitudes.

5. In default of the enregistration of the deed creating the same, no real, discontinuous and unapparent servitude, hereafter created and constituted by title, shall have any effect as regards third parties who shall have become proprietors or creditors subsequent to the passing of this act, and whose rights have been or shall have been enregistered.

Delay allowed for enregistration of servitudes.

6. A delay of two years, dating from the coming into force of this act, is granted to the parties interested, for enregistering the servitudes above-mentioned, created before the coming into force of this act, after which delay, if they be not enregistered, such servitudes shall be inoperative as regards third parties who may, subsequently, become proprietors or creditors, and whose rights have been or shall have been enregistered.

Renewal of registration of servitudes in certain cases.

7. Within two years after the coming into force of this act, in registration divisions in which the cadastre is now in force, within two years next after the coming into force of the cadastre, in the other registration divisions, the enregistration of any conventional servitude affecting any lot of land included in such registration division must be renewed by means of a transcription in the books kept for that purpose, of a notice describing the immovable affected in the manner prescribed by article 2168, and by observing the formalities required by article 2131, of the Civil Code.

Publication, &c., of this act by registrars.

8. Within one month from the receipt of this act, and of the schedule hereto annexed, every registrar, prothonotary of the superior court, or clerk of the circuit court, to whom the government shall have sent a copy of the said act and schedule, shall read or cause the same to be read publicly at the door of the parish church or of the principal church of the locality, in which is situated the registry office or court, on each of the four Sundays following such receipt, and shall post up the schedule on the door of the church,

and in some conspicuous place in the registry office or office of the court, in which such office he shall keep the same posted up during the entire period of the delay of two years, mentioned in the preceding sections.

9. The prothonotary or clerk shall also read such schedule publicly on the first day of each of the four terms of the superior or circuit courts, following such receipt.

Publication,
&c., of sche-
dule by pro-
thonotaries.

10. In places where there is neither prothonotary, clerk, nor registrar, the above formalities shall be fulfilled *mutatis mutandis* by the public officers or all other public persons to whom the above act and schedule shall have been forwarded by the government.

Who may pu-
blished if no
such officers.

11. The present act shall come into force on the day of its sanction.

Act in force.

SCHEDULE.

PUBLIC NOTICE

Is hereby given that in virtue of the act 44-45 Victoria, chapter 16, article 2116 of the Civil Code is declared to apply to customary dowers created before the 1st of August 1866 ;

That in virtue of the said act, all the said dowers shall become null and void, unless they be enregistered within two years from the passing of the said act, as regards third parties who may become proprietors or creditors after the passing of the act, and who shall have enregistered the titles giving them claims upon the immovables originally subject, or which hereafter become subject to dower ;

That with respect to immovables which may devolve upon the husband and become, after the expiration of such delay of two years, subject to any dower then maintained by being enregistered at the proper time, they shall remain subject to the enregistration prescribed by the said article 2116.

Also that, in default of the enregistration of the deed creating the same, no real, discontinuous and unapparent servitude hereafter created and constituted by title shall have any effect as regards third parties who may subsequently become proprietors or creditors, and whose rights have been or shall have been enregistered.

That a delay of two years, dating from the coming into force of this act, is granted to the parties interested for the enregistration of the servitudes above-mentioned created

before the coming into force of this act, after which delay if not enregistered, such servitudes shall become inoperative as regards third parties who may become proprietors or creditors subsequent to the passing of this act, and whose rights have been or shall have been enregistered.

CAP. XVII.

An Act to secure the payment of builders and workmen.

[Assented to 30th June, 1881.]

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

Builders and others to keep pay list.

Form.

Procedure of workmen, if unpaid.

Form of claim.

Several may join in claim.

Assignment provided for.

1. Every builder or contractor, whether chief or sub-contractor, who shall employ workmen by the day or by piece work, to carry out his contract, shall keep a list, drawn up in the form of the schedule A, annexed to this act, showing the names and wages or price of the work of such workmen, and every payment to them made shall be attested by the signature or cross of such workmen, in presence of a witness, who shall also sign the same.

2 On the last working day of every week, it shall be lawful for every workman who is unpaid, to deliver before a witness, to the proprietor for whom the work is being done, his claim in duplicate, in the form of schedule B annexed to this act ; and from the time such claim shall be so produced, the price of the contract shall be deemed to be seized, up to the amount of the claim of such workman and every payment made to the contractor, so long as the latter shall not have established the payment of the claim of such workman, shall have no effect as far as the latter is concerned, who may claim payment of the amount from the proprietor, by a personal action in the same manner as he could have done from the contractor.

3. Several unpaid workmen may join in the same claim.

4. In case of an assignment by the contractor to a third party of the price of the work, the claim of the workman shall, with respect to such third party, have the same effect as it would have had with respect to the contractor if no such assignment had been made.