

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 :

- 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.

Builders and others to keep pay list.

Form.

Procedure of workmen, if unpaid.

Form of claim.

Several may join in claim.

Assignment provided for.

SCHEDULE A.

PAY LIST of the workmen employed by A. B. (*name of the contractor*) upon the works being executed for
C. D. (*name of the proprietor*).

Name of the workmen.	Number of days.	Salary per day.	Nature of job.	Price of job.	Total amount due.	Receipt. Signature of workman.	Signature of witness to payment.

SCHEDULE B.

CLAIM OF WORKMAN TO BE DELIVERED TO THE PROPRIETOR.

To C. D. (*name of the proprietor.*)

SIR,

In presence of the undersigned witness I, (*or we*) E. F., (*name of the workman or workmen*) declare that A. B. (*name of the contractor*) owes me (*or us*) a sum of \$ for (*number of days*), employed at your work, at (*place*) (*or*) a sum of \$ (*if it is by the piece or job*), which sum the said A. B. (*name of the contractor*), your contractor refuses or neglects to pay me (*or us*).

Made in duplicate at , this day of , 18

(Signed) E. F.

Signature of workman or workmen.

(Signed) G. H.

Witness.

CAP. XVIII.

An Act to exempt from seizure one-half of the wages of laborers.

[Assented to 30th June, 1881.]

WHEREAS it is advisable to exempt from seizure one-half of the wages of laborers; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

- One-half of laborers wages not liable to seizure. 1. Hereafter, wages due to laborers shall be liable to seizure only for a proportion not exceeding one-half.
- Application of word "laborer." 2. The word : "laborer" shall apply only to those who work and are paid by the day, by the week, or month, (*operarius.*)
- Act in force. 3. The present act shall come into force on the day of its sanction.