

withstanding
review or
appeal.

order under this act from which an appeal shall be allowed by the court of Queen's Bench, shall be executed and in force provisionally, notwithstanding and without prejudice to such appeal or review; but the superior court, in review, or the court of appeals, as the case may be, may in their discretion provisionally suspend the injunction.

Injunction
provisionally
suspended.

Costs; service
of judgment.

11. The judgment, if in favor of the petitioner, pronounces the injunctions required, adjudicates as to costs, and must be served upon the adverse party.

Refusal to
obey the
injunctions.

12. If a party against whom the injunction is directed, violate or refuse to obey the injunctions laid upon him either by the writ or by any interlocutory or final judgment, the court or a judge thereof may cause to be destroyed whatever may have been done in contravention to the injunction, if it be practicable;—also the court or a judge thereof may punish the party contravening by an imprisonment not exceeding thirty days but which may be repeatedly inflicted until the party obeys the mandate of the court or judge.

De-struction
of works.

Imprison-
ment.

If it be a cor-
poration or
company.

2. If the party violating the injunction be a company or corporation, such company or corporation may be condemned to pay a fine not exceeding two thousand dollars, but which may be repeatedly inflicted until they obey the mandate of the court or judge.

Recourse for
damages.

3. The party aggrieved by the disobedience of such person, company or corporation may also recover from the party or parties disobeying, such damages as he may show that he has sustained.

Investment
of fines.

13. All fines imposed under and in virtue of the provisions of this act shall be the property of the crown and shall form part of the consolidated revenue fund of the Province.

Act in force;
pending
cases.

14. This act shall come into force on the day of the sanction thereof; but it shall not affect any pending cases.

C A P. X V.

An act to provide for the giving notice of sheriff's sales to hypothecary creditors.

[Assented to 9th March, 1878]

Pr. amble.

WHEREAS it would tend to increase the security afforded by hypothecs that notice of advertised sheriff's sales should be given to hypothecary creditors;

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

1. Every registrar shall keep a register for the addresses of hypothecary creditors. Registers for addresses at the registry office.

2. Any hypothecary creditor or any transferee, heir, donee or legatee of a hypothecary creditor, may give notice to the registrar of the registration division wherein the immoveables hypothecated are situate, of his address, and if he afterwards changes his residence, of his new address. Addresses given to registrar.

The registrar shall enter such address in the register of addresses, and shall note the number of the entry of the same in the index to immoveables in the page or space allotted for the lot or sub-division hypothecated in favor of the person giving the notice. Entries made by registrar.

3. Within one month after having advertized the sale of immoveables, the sheriff shall apply to the registrar of the registration division wherein such immoveables are situate, for a list of the addresses which may have been notified to him; and the registrar shall forthwith transmit such list to the sheriff. List of addresses transmitted to sheriff.

4. The sheriff shall send a printed copy of the advertisement prescribed by article 648 of the Code of Civil Procedure, to each hypothecary creditor, whose address is given in the list furnished by the registrar, through the post, at least one month before the day fixed for the sale. Advertisement sent to creditors inscribed on the list.

5. The omission to obtain such list of addresses or to send a copy of the advertisement to all or any of the persons whose addresses are given in a list, shall not invalidate or affect a sheriff's sale. Sale shall be valid notwithstanding omission of such formalities.

6. The sheriff and the registrar shall be entitled to such fees, for the performance of the duties imposed by the preceding sections, as may be established by order of the Lieutenant Governor in Council. Fee of the sheriff and registrar.

7. The person giving notice of his address shall pay the registrar's fees and shall also deposit in his hands, an amount equal to the fees allowed to the sheriff for the notice to be sent to such person; such amount shall be paid to the sheriff by the registrar when he transmits the list of addresses. Payment of fees. Deposit.

On the cancellation of an hypothecary claim, the deposit shall be refunded; and the address of the creditor shall be struck off the register of addresses. Deposit refunded.