

damages for
municipal sales
of lands.

Denial of ac-
tion to extend
to pleas.

Case of lands
belonging to
the crown.

Pending suits
&c., not to be
affected.

cipal act, or to recover damages from a municipality, by reason of the unlawfulness of such sale, shall be maintained unless the same shall have been instituted within two years from the date of the said adjudication."

2. The refusal of the right of action set forth in the preceding sub-section shall extend to all exceptions or pleas whatsoever which invoke the nullity of any such sale, or set up damages and claims of any kind, against any municipality or person whatsoever.

3. And every sale of any land belonging to the Crown shall be *pleno jure* null, and the purchaser, in such case, shall have no claim upon the local or county municipality, save for the moneys expended by him, with interest and costs."

2. The present act shall in no way affect suits actually pending, and shall not prejudice the rights of any person whose real estate may have been, or shall hereafter be sold for municipal or school taxes, assessments, apportionments, or other dues, paid before the sale of such real estate, nor further, shall it prejudice the rights of any person who has transacted or settled with any municipality respecting damages occasioned by a sale affected by illegality, or who has demanded any such transaction or settlement.

CAP. XXIII.

An Act to render valid certain Notarial Acts.

[Assented to 1st February, 1870.]

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

Certain nota-
rial acts not
countersigned
declared valid.

1. All minutes of notarial acts, except wills and codicils, which, at the time of the coming into force of the civil code, were not, or which since then have not been countersigned, shall, from and after the passing of this act, be held to be as valid and authentic as if they had been countersigned by a second notary, and the witnesses to the execution of the instrument therein named; provided always, that the validity or authenticity of the said acts is not affected by any other cause than that mentioned in this section.

Proviso.

Copies and re-
gistration of
such acts de-
clared valid.

2. All copies of such acts which have been delivered, and all registrations thereof which have been or may be made, shall be valid, and shall make proof of the said acts and of their registration, although the name of a second notary or of the witnesses to the execution of said acts, may be mentioned on such copies, whether they have been registered or not.

3. All judicial sales of property belonging to minors and absentees, made before the passing of this act, shall be deemed to be valid notwithstanding any failure to annex to the deeds thereof the certificates of the publishers of the newspapers, or the newspapers themselves, in which such sales were published, if the necessary publications were made, and if the deeds of such sales mentioned the newspapers in which such publications were made; provided always, that such deeds of sale are valid in other respects. Certain sales of property of minors declared valid notwithstanding certain omissions.

4. Whereas, since the promulgation of the civil code, many judicial sales of the property of minors and of absentees have taken place, without the presence of the subrogate-tutor, contrary to the provisions of article 299 of the said code; it is hereby enacted that such sales shall be valid if in addition to the necessary formalities, other than those prescribed by the said article 299, having been in all respects observed, the subrogate-tutor interested in the sale ratifies and signs the deed of sale; and from such time, the sale so made, shall be, to all intents and purposes whatsoever, as binding and valid, as if the same had been made in the presence of the subrogate-tutor, and he had himself become a party thereto. Ratification of subrogate-tutor, sufficient without his presence, 299 C. C.

5. The provisions of this act shall not in any way prejudice the acquired rights of any parties to suits now pending before any court of justice in this province. Acquired rights not affected.

C A P. X X I V.

An Act for establishing a general system of Police in this Province.

[Assented to 1st February, 1870.]

WHEREAS it is expedient to establish an efficient and uniform system of police in this province, and to organize a competent constabulary force for carrying out the same; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Québec, enacts as follows: Preamble.

CONSTITUTION AND ORGANIZATION.

1. There shall be, in and for this province, a police force, to be constituted and organized as hereinafter provided. Police force to be established.

2. The lieutenant-governor in council may, from time to time, as may be found necessary, appoint by commission, a commissioner of police and one or more superintendents of police, each of whom shall hold office during pleasure. Appointment of superior officers.

