

capacity to hold municipal office.      nicipal Code, may be brought under the foregoing provisions."

Mun. Code, art. 227, am.      **2.** Article 227 of the Municipal Code, as amended by the acts 9 George V, chapter 83, section 1; 10 George V, chapter 82, section 1, and 11 George V, chapter 105, section 1, is again amended by replacing paragraph 12 thereof by the following:

Knowledge.      "12. Whoever does not know how to read or write;"

Mun. Code, art. 318, am.      **3.** Article 318 of Municipal Code is amended by adding thereto, after the word: "elected", in the third line thereof, the words: "Such judgment is final and without appeal".

Pending suits.      **4.** This act shall not affect pending suits.

Coming into force.      **5.** This act shall come into force on the day of its sanction.

## C H A P. 85

### An Act to amend the Code of Civil Procedure respecting the Court of King's Bench (Appeal Side)

[Assented to, the 3rd of April, 1925]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

C. C. P., art. 1215a, replaced.      **1.** Article 1215a of the Code of Civil Procedure, as enacted by the act 12 George V, chapter 97, section 1, is replaced by the following articles:

Pledge instead of security.      "**1215a.** Instead of the security mentioned in the preceding articles, the appellant may furnish, as guarantee, a sufficient pledge to take the place of the security.

Form and deposit.      Such pledge shall consist of a sum of money or of securities of the Government of Canada or of the Province of Quebec, the amount whereof shall be fixed by a judge of the Court of King's Bench. This pledge shall be deposited as a judicial deposit into the hands of the prothonotary who shall deliver a receipt therefor to the appellant.

Amount of pledge.      Such pledge shall, in all cases, be sufficient to satisfy the condemnation and pay the costs and damages adjudged in case the judgment is confirmed, subject to the exception provided for in article 1214 where the amount shall be sufficient to pay the costs in appeal only.

"**1215b.** In actions where the appeal is heard before three judges, if it be shown to the satisfaction of a judge of the Court of King's Bench or of the Superior Court that the appeal is serious, but that the appellant cannot furnish the security required by article 1214 nor give a sufficient pledge in its stead, such judge may, on petition to that effect, allow the appellant to furnish security only for the costs of appeal, instead of the security required by article 1214.

Amount of security limited in certain cases.

Such permission is granted upon petition served upon the opposite party with a notice of the day for its presentation, and accompanied by an affidavit of the appellant that he is unable to furnish the required security and that he cannot substitute a sufficient pledge for it. The judge may allow the production of contradictory affidavits and the oral examination of witnesses.

Petition.

The security for the costs of appeal, so authorized by the judge, shall have the effect of suspending execution of the judgment of the court of first instance.

Execution suspended.

The judge's order may, on new evidence, be cancelled by a judge of the Court of King's Bench sitting in appeal, and in that case, the appellant shall furnish, within the delay fixed by the judge who rendered the judgment in reversal, the security required by article 1214, otherwise, the appeal is abandoned, saving recourse."

Cancellation of the order.

**2.** This act shall come into force on the day of its sanction.

Coming into force.

## C H A P. 86

An Act to amend the Code of Civil Procedure respecting  
the hearing of certain appeals

[Assented to, the 4th of March, 1925]

**H**IS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** The Code of Civil Procedure is amended by inserting therein, after article 1227 thereof, as replaced by the act 10 George V, chapter 79, section 21, and amended by the act 11 George V, chapter 87, section 2, and, as to the English version, by the act 11 George V, chapter 103, section 1, the following:

C. C. P., art. 1227a, added.