

"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]

HIS 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.

Appeal
heard by
five judges
in certain
cases.

"1227a. The appeal shall likewise be heard by five judges if the action, suit or proceeding, whatever it may be and to whatsoever matter it may relate, raises the question of unconstitutionality of a law or of a part of a law of Canada or of the Province."

Coming into
force.

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

CHAP. 87

An Act to amend article 110 of the Municipal Code

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

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

Mun. Code,
art. 110, am.

Place of
sitting of
local coun-
cil.

1. Article 110 of the Municipal Code is amended by adding thereto the following paragraph:

"Such place may be in a neighbouring and adjoining municipality, even in another county, provided that the council so enacts by by-law."

Coming into
force.

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

CHAP. 88

An Act to amend the Municipal Code

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

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

Mun. Code,
art. 433,
am.

1. Article 433 of the Municipal Code is amended by striking out paragraph 2 thereof.

Reservation.

2. This act shall not apply to municipal acts in force at the time of its sanction.

Coming into
force.

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