

trate's Court, in conformity with the provisions of the Revised Statutes, 1909, respecting Magistrates' Courts."

**6.** Article 1290 of the Code of Civil Procedure is replaced by the following:

**"1290.** Except in the case where evocation to the Superior Court is permitted, no suits or proceedings in civil matters, taken under this chapter before a district magistrate or before a District Magistrate's Court, can be taken, before any other court, by *certiorari* or otherwise." No certiorari, etc.

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

#### C H A P. 95

An Act to amend the Code of Civil Procedure respecting sheriff's sales

[Assented to, the 21st of March, 1922]

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

**1.** Article 749 of the Code of Civil Procedure, as amended by the acts 1 George V (1st session), chapter 42, section 6, and 9 George V, chapter 80, section 1, is replaced by the following: C. C. P., art. 749, replaced.

**"749.** The officer conducting the sale must require from every bidder, before he receives his bid, a deposit of a sum of money equal to one-tenth of the municipal valuation of the immoveable, whenever the judge has imposed such condition: Deposit required.

*a.* At the instance of the seizing creditor, in any case of resale upon false bidding or whenever the sale has been stopped by an opposition;

*b.* At the instance of any person interested, when the judge is of opinion that such condition is necessary to prevent the immoveable from being adjudged to some insolvent or unknown person.

If the immoveable does not appear upon the municipal valuation roll, or if there be no municipal valuation roll in force, the amount of the deposit shall be fixed by the judge. Where amount fixed by judge.

The condition imposed in virtue of this article must be mentioned in the advertisements published under the provisions of article 717 or article 767, as the case may be." Mention of condition in advertisements.

C. C. P., art. 750, replaced. **2.** Article 750 of the Code of Civil Procedure is replaced by the following:

Deposit in certain cases.

**"750.** In any case wherein a resale for false bidding has taken place, the judge may, upon application by any interested party, order that every bidder shall be required to deposit a sum equal to twenty per cent of the municipal valuation of the immoveable, or a sum the amount of which he shall himself fix if the immoveable does not appear on the valuation roll or if there be no roll in force."

C. C. P., art. 766, replaced. **3.** Article 766 of the Code of Civil Procedure is replaced by the following:

Liability of false bidder.

**"766.** If the price upon the resale for false bidding is paid, but is not sufficient to cover the amount of the first purchase with interest thereon and the costs incurred on the resale, the false bidder may be held, even by coercive imprisonment, to pay the difference, upon an application to that effect by any party to the suit in the same manner and under the same conditions as that for a resale for false bidding.

Coercive imprisonment.

The false bidder may likewise be held, by coercive imprisonment, to pay the price of his bid, with the interest and the costs incurred by reason of his false bidding, if the price upon the resale for false bidding be not paid in accordance with the provisions of articles 758 and 759."

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## C H A P. 96

An Act to amend article 833 of the Code of Civil Procedure

[Assented to, the 21st of March, 1922]

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

C. C. P., art. 833, am. **1.** Article 833 of the Code of Civil Procedure is amended by adding thereto, after paragraph 6 thereof, the following paragraph:

Bailiff.

**"7.** Any bailiff who neglects or refuses to execute a writ of summons or of execution, which has been entrusted to him, or who does not execute or return such writ of summons or of execution within a reasonable delay."

Coming into force.

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

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