

# ORDERS IN COUNCIL

HAVING FORCE OF LAW

IN THE

## PROVINCE OF QUEBEC



THE HONOURABLE SIR CHARLES FITZPATRICK, P. C., G. C. M. G.,  
LIEUTENANT-GOVERNOR

---

QUEBEC  
PRINTED BY Ls. A. PROULX  
PRINTER TO THE KING'S MOST EXCELLENT MAJESTY

ANNO DOMINI 1921



# ORDERS IN COUNCIL



## EXECUTIVE COUNCIL CHAMBER

No. 912.

QUEBEC, 20th of May, 1920.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

### RESPECTING THE FEES PAYABLE TO STENOGRAPHERS UNDER THE TARIFFS OF THE CLERKS OF THE CROWN AND OF THE CLERKS OF THE PEACE.

Whereas article 3511 of the Revised Statutes, 1909, enacts that the Lieutenant-Governor in Council may alter or repeal the tariff of fees of the clerks of the Crown and of the clerks of the Peace;

Whereas it is expedient to alter item 17 of the tariff of the clerks of the Crown and item 13 of the tariff of the clerks of the Peace so that the fees granted to stenographers before the Courts of criminal jurisdiction shall be the same as those granted them in civil actions;

Therefore it is ordered that item 17 of the tariff of the clerks of the Crown and item 13 of the tariff of the clerks of the Peace, as replaced by the Order in Council No. 344 of the 11th of April, 1912, be again replaced by the following:

#### *Tariff of the clerks of the Crown*

17. To be paid to the stenographer:

On deposition taken by stenographer per 100 words,  
when the notes are transcribed.....\$ 0.24

Per 100 words when the notes are not transcribed..... 0.12

For every additional copy, per 100 words..... 0.21½

*Tariff of the clerks of the Peace*

13. To be paid to the stenographer:

For taking evidence by stenography, when notes are transcribed, per 100 words.....\$ 0.24

When notes are not transcribed, per 100 words..... 0.12

For every additional copy, per 100 words..... .02½

(Certified),

A. MORISSET,  
*Clerk of the Executive Council.*

---

EXECUTIVE COUNCIL CHAMBER

---

No. 1186

QUEBEC, 25th of June, 1920.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

It is ordered that the following tariff of fees for notaries, submitted by the board of notaries for the consideration of the Lieutenant-Governor in Council, be approved, in accordance with the provisions of articles 4739 and 4740 of the Revised Statutes, 1909.

(Certified),

A. MORISSET,  
*Clerk of the Executive Council.*

---

## TARIFF OF FEES FOR THE NOTARIES OF THE PROVINCE OF QUEBEC

### I

DEEDS OF SALE, PROMISES OF SALE, EXCHANGES, ASSIGNMENTS, OBLIGATIONS OR HYPOTHECS, TRANSFERS, SUBROGATIONS, RENEWAL DEEDS, DELEGATIONS OF PAYMENTS, CONTRACTS AND SPECIFICATIONS, DEEDS OF GUARANTEE AND SECURITY, AND TRUST DEEDS OTHER THAN THOSE RELATIVE TO THE ISSUE OF BONDS.

When the consideration stipulated in the deed or the value of the property is:

1.—\$100.00 or less, the fee shall be.....	\$ 2.00
2.—Over \$ 100.00 but not exceeding \$ 500.00.....	3.00
3.—“ 500.00 “ “ “ 1,000.00.....	4.00
4.—“ 1,000.00 “ “ “ 2,500.00.....	6.00
5.—“ 2,500.00 “ “ “ 4,000.00.....	8.00
6.—“ 4,000.00 “ “ “ 5,500.00.....	10.00
7.—“ 5,500.00 “ “ “ 7,000.00.....	12.00
8.—“ 7,000.00 “ “ “ 12,000.00.....	15.00
9.—“ 12,000.00 “ “ “ 20,000.00.....	25.00
10.—Over \$20,000.00 but not exceeding \$100,000.00 an additional fee of \$1.00 shall be added for each \$1,000.00 or each fraction thereof.	
11.—Over \$100,000.00 an additional fee, taking into consideration the amount involved, trouble and circumstances.	

### II

#### LEASES OF HOUSES AND STORES

When the annual rental stipulated in the deed is:

1.—\$100.00 or less, the fee shall be.....	\$ 2.00
2.—Over \$ 100.00 but not exceeding \$ 400.00.....	3.50
3.—“ 400.00 “ “ “ 1,000.00.....	5.00
4.—“ 1,000.00 “ “ “ 2,000.00.....	6.00
5.—“ 2,000.00 “ “ “ 4,000.00.....	8.00
6.—“ 4,000.00 “ “ “ 8,000.00.....	12.00
7.—“ 8,000.00 “ “ “ 12,000.00.....	15.00
And above \$12,000.00 an additional fee according to the amount involved, the trouble and circumstances.	

### III

#### FARM LEASES

For farm leases the fee shall be from \$4.00 to \$12.00, according to the amount involved and the circumstances.

### IV

#### ACQUITTANCES, DISCHARGES AND WITHDRAWAL OF HYPOTHECS

When the amount stipulated in the deed is:

1.—\$400.00 or less the fee shall be.....	\$ 2.00
2.—Above \$ 400.00 but not exceeding \$ 1,000.00.....	3.00
3.—“ 1,000.00 “ “ “ 3,000.00.....	4.00
4.—“ 3,000.00 “ “ “ 6,000.00.....	6.00
5.—“ 6,000.00 “ “ “ 8,000.00.....	8.00
6.—“ 8,000.00 “ “ “ 12,000.00.....	12.00
7.—“ 12,000.00 “ “ “ 15,000.00.....	15.00

## ORDERS IN COUNCIL

V

The same fees as those stipulated in article 1, taking, as the amount, the capital of the annuity or emphyteutic rent capitalized at 5%.

## MARRIAGE COVENANTS AND DEEDS OF PARTNERSHIP

VII

The fees for gifts, wills and codicils shall be from . . . . . \$5.00 to \$100.00 according to their importance and the work required to prepare such deeds.

## POWERS OF ATTORNEY

IX

The fee for deeds of this nature shall be from..... \$2.00 to \$3.00

SIGNIFICATIONS, NOTIFICATIONS SUMMONSES, PROTESTS, ACTIVE LEGAL TENDERS,  
OFFICIAL REPORTS OF SIGNIFICATION (except protests of notes and bills of  
exchange)

XI

For deeds of this nature the fee shall be from..... \$3.00 to \$5.00

DEEDS OF INDEMNIFICATION, DEEDS OF DEFEASANCE (CONTRE-LETRES), STATEMENTS, DECLARATIONS OF THE TRANSMISSION OF DEEDS TO THE REGISTRARS, BANKS AND COMPANIES, DUPLICATE NOTICES OF SOCIETIES OR JOINT STOCK COMPANIES, NOTICES OF LEGAL OR JUDICIAL HYPOTHECS, RENEWAL OF REGISTRATION, CERTIFICATES OF THE EXTINCTION OF THE RIGHT OF USUFRUCT OR LIFE ANNUITY, DEEDS OF RATIFICATION, CONFIRMATION, COMPLIANCE, CESSION OF PRIORITY OF HYPOTHECARY CLAIMS.

For the above deeds, and for others of a like nature, the fee shall be, according to circumstances, from..... \$4.00 to \$8.00

## XIII

## DEEDS ATTESTING A FACT

For deeds attesting a fact (*acte de notoriété*), the fee shall be from \$3.00 to \$6.00

## XIV

## DEEDS OF DEPOSIT

For deeds of deposit the fee shall be..... \$ 2.50  
and an additional fee of one dollar for each attestation of deposit.

## XV

DEEDS OF COMPROMISE AND ARBITRATION, AWARDS OF EXPERTS AND ARBITRATORS,  
DEEDS OF AGREEMENT AND TRANSACTIONS, ORDINARY TRUST DEEDS

For deeds of this nature the fee shall be from..... \$5.00 to \$30.00

## XVI

DEEDS OF COMPOSITION AND OTHER DEEDS OF SETTLEMENT BETWEEN CREDITOR  
AND DEBTOR

For deeds of this nature the fee shall be from..... \$10.00 to \$15.00  
and if the total amount of the creditors' claims exceeds \$10,000.00 there shall be an  
additional fee according to trouble and circumstances.

If the notary receives instructions to call a meeting of the creditors, for the  
notice to each creditor provided the number does not exceed ten, for  
each notice the fee will be..... \$ 1.00  
For each additional notice..... \$ 0.50  
If the notary receives instructions to attend at the meeting of creditors, for  
each hour of attendance the fee shall be..... \$ 3.00

## XVII

## TRUST DEEDS FOR THE ISSUE OF BONDS

For deeds of this nature, when the amount stipulated is:

- 1.—Under \$100,000.00, the fee shall be..... \$200.00
- 2.—Above 100,000.00 an additional fee of \$1.00 for each \$1,000.00 up to  
one million dollars, and
- 3.—Above one million dollars, an additional fee according to trouble and  
circumstances.

## XVIII

## TUTORSHIPS, CURATORSHIPS, ETC.

- 1.—For each tutorship and curatorship, distinct subrogate-tutor-  
ship and appointment of a judicial adviser, including the  
declaration or petition, the holding of the family council  
and official minute thereof and the petition for homologa-  
tion, if required, the fee shall be..... \$15.00 to \$25.00
- 2.—If the tutorship be for more than one cause, there shall be an  
additional fee of..... \$ 3.00 to \$6.00

## XIX

## PETITIONS AND OTHER PROCEEDINGS

In all petitions or proceedings, when not otherwise provided for by the present  
tariff, the notaries have the right to the fees given to advocates for similar petitions  
or proceedings.

## XX

## LICITATIONS AND SALES UNDER JUDICIAL AUTHORITY

For the proceedings of a voluntary licitation, of a sale of immoveable property belonging to minors or persons incapable of acting for themselves, substitutions, etc., comprising the petition or declaration, notice to relatives, appointment, receiving oaths and experts report, preparing the list of charges, official report of the bidding, report to be made thereon, exclusive of the cost of the deed of sale, the fee shall be from..... \$25.00 to \$50.00  
In addition:—

- 1.—Two per cent on the first \$15,000.00 or fraction of \$1,000.00 of the price of each immoveable.
- 2.—One per cent on each additional thousand dollars or fraction of \$1,000.00.
- 3.—For the sale of bank shares in other commercial, industrial or financial companies, the fee shall be the same as in the case of immoveables.

## XXI

INVENTORIES AND DECLARATIONS TO ESTABLISH THE TAXES TO BE PAID TO THE GOVERNMENT, DEEDS OF PARTITION, ACCOUNTS OF SUCCESSIONS, RENDERING OF ACCOUNTS OF THE SALE AT AUCTION OF MOVEABLES AND OTHER SIMILAR DEEDS.

- 1.—For preparing the preamble the fee shall be from.....\$10.00 to \$40.00
- 2.—For each hour of attendance for the preparation and the execution of these deeds, either at the notary's or at the residence of the parties, there shall be an additional fee of \$ 5.00

## XXII

MARITIME PROTESTS, NOTING PROTESTS, BOTTOMRY BONDS, MORTGAGES ON VESSELS IN COURSE OF CONSTRUCTION, DEFEASANCE AND SALE OF VESSELS

- 1.—For noting protest, the fee shall be from.....\$ 2.50 to \$ 6.00
- 2.—For certificates of note of protest, from..... 3.50 to 4.50
- 3.—For maritime protests, extension of protest, from..... 8.00 to 60.00
- 4.—For report of surveyors and arbitrators in maritime cases, from..... 5.00 to 10.00
- 5.—For bottomry bonds, according to the amount, from..... 15.00 to 30.00

## XXIII

## OTHER DOCUMENTS

In all deeds and other documents, when not otherwise provided for by the present tariff, the notary has the right to an additional fee of..... \$ 0.50  
On each description of immoveable property, deed of credit, delegation or direction of payment and on each insurance policy transferred.

N. B.—If the description of immoveables consists only of cadastral numbers the above fee shall be reduced: (a) to \$0.25 for each of the first ten numbers, (b) to .10 cts. for each of the following numbers up to one hundred; and (c) to .05 cts. for each of the other numbers exceeding one hundred.



## XXIV

## COMMISSIONS

The notary instructed to negotiate a loan, sale, purchase, exchange, a rendering of accounts or other similar transaction, has a right, unless the stipulations are made to the contrary, to the following commissions apart from his fees for deeds:

- 1.—For negotiating a loan, two and one-half per cent of the amount loaned.
- 2.—For negotiating a renewal of a loan, when the term is expired, one-half of the commission on the original loan.
- 3.—For negotiating a sale, exchange or purchase of immoveables, bank shares and shares in a company, and other securities, two and one-half per cent of the selling price or of the value of the property or shares sold, bought or exchanged by his client.

## XXV

## SPECIAL FEES

In addition to the fees hereinabove mentioned, the notary has a right to the following fees:

- 1.—(a) If he is required to travel outside of his domicile for his client's business, or outside of his office, during one day or more, he shall have a right to a fee of \$3.00 for each hour of absence not exceeding ten hours a day, unless he has been expressly required to give his services for a greater number of hours.  
(b) For each attendance at the Registry Office, at the Court House or elsewhere, in connection with the registration of any deed or document, or to ask for or obtain any certificate, document or copy whatsoever, \$1.00.  
He has a right to the same fee if the matter is attended to by correspondence.  
(c) For any absence from his office other than those provided for in paragraphs *a* and *b* hereinabove mentioned, the notary, acting either as the notary drawing up the deed or as assistant notary, or in connection with the practice of his profession, has a right to a displacement fee of \$2.00 if the absence from the office does not exceed half an hour, and to a fee based on a rate of \$3.00 per hour if the absence lasts more than half an hour.
- 2.—For giving communication of deeds of which the notary is depositary, \$1.00 if the deeds are examined at his office and an additional \$1.00 for the receipt if the deeds are taken out of his office.
- 3.—For attesting signatures, receiving oaths, identification certificates, etc., as well as for other documents not otherwise provided for, \$1.00.
- 4.—For other notices of convocation or publication not otherwise provided for, \$2.00 for the original and \$1.00 for each copy.
- 5.—For each copy of deeds and documents annexed, 25 cents for every hundred words or fraction thereof. For each certificate of authenticity put on a copy of a deed, including the comparing with the original, \$1.00; for each certificate of authenticity put on documents annexed, 50 cents; no copy of deeds or documents to be less than \$2.00, and no copy of document annexed to be less than \$1.50, including certificates in both cases, the cost of the copy not to exceed that of the original.
- 6.—For authentic extracts of a deed or of documents annexed, the fee shall be one-half more than that for a copy.
- 7.—For any demand for a certificate of search for hypothees, and for every notice sent to the Registrar, \$1.00.

- 8.—For searches for deeds in his office or for those of which he is depositary, 25 cents per year for the search of the first five years, and 15 cents for each additional year.
- 9.—For the practice of his profession during the night, *upon the special request of the parties*, from nine o'clock in the evening to seven o'clock in the morning, the fees shall be double those hereinabove provided for.
- The present subsection does not apply however to notaries who have habitually a night office open; they may only charge double fees after ten o'clock,
- 10.—If the case is not hereinabove provided for, notwithstanding the fees and emoluments hereinabove fixed, the notary has, in addition to the above, the right to special fees according to his care, absence, trouble, study of legal questions, examination of papers, deeds and documents, sittings, conferences, advice and consultations, correspondence, searches, and special work done by him, or according to the importance of the matter entrusted to him, the advice given, the services rendered or the deed received.
- 12.—Every fraction of an hour exceeding the first half hour is counted by quarters of an hour.
- 13.—In addition to the fees and commissions in the present tariff, the notary has the right to his travelling expenses and to the disbursements made by him for his clients.
- The above tariff has been approved by the Legislation Committee of the Board of notaries and by the Board itself.

January, 1920.

(Signed) L. P. SIROIS,

Chairman of the Legislation Committee of the Board of Notaries.

---

## EXECUTIVE COUNCIL CHAMBER

---

No. 1188.

QUEBEC, 25th of June, 1920.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

Whereas article 3511 of the Revised Statutes, 1909, gives the Lieutenant-Governor in Council the power to make, alter or repeal the tariff of fees for the sheriffs, high constables, clerks of the Peace, bailiffs and constables;

Whereas it is deemed expedient to alter the tariff for the sheriffs and the tariff for the high constables, bailiffs and constables, so as to give the said officers the same mileage costs as are given to the bailiffs of the Superior Court;

Whereas it is also deemed expedient to alter the tariff for the clerks of the Peace;

Whereas it is moreover deemed expedient to alter article 22 of the tariff for the high constables, bailiffs and constables, inasmuch

as it relates to the district of Montreal, so as to determine more easily the fees that are to be charged in each case;

Therefore, it is ordered:

1. That the paragraph of the tariff for the sheriffs, relating to their mileage costs, be altered by replacing the figures 25 and 20, in the second line of the said paragraph, by the figures 35:

2. That the following items be added after item 12 of the tariff for the clerks of the Peace:

“12a. For attendance at the appearance or at the hearing of each case, \$0.50;

“12b. For each adjournment from one day to another \$0.50”;

3. That item 15 of the tariff for the high constables, bailiffs and constables be replaced by the following:

“15. For the distance necessarily travelled over for the execution or service of any process by the high constable or constable, per mile going and returning, \$0.17½”;

That the following words be added after item 22 of the tariff for high constables, bailiffs and constables:

“In the district of Montreal, the following fees shall be charged in every case:

Services for the constables \$0.50”.

(Certified),

A. MORISSET,  
*Clerk of the Executive Council.*

---

#### EXECUTIVE COUNCIL CHAMBER

No. 1456.

---

QUEBEC, 30th of July, 1920.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

#### RELATING TO THE SHERIFFS' TARIFF.

Whereas, in virtue of the provisions of article 37 of the Code of Civil Procedure and of article 3511 of the Revised Statutes 1909, the Lieutenant-Governor in Council may make, modify, revoke or amend the tariff of fees payable to sheriffs;

Whereas it is expedient, for the good administration of justice, to repeal the sheriffs' tariff now in force and to replace it by a new one;

It is therefore ordered that the sheriffs' tariff, as established by the order in council bearing the date of the 27th of March, 1902, and as amended by subsequent orders in council, be repealed from and after the 1st day of August, 1920, and that, after that date, it be replaced by the following tariff.

(Certified),

A. MORISSET,  
*Clerk of the Executive Council.*

### SHERIFFS' TARIFF

1. For any writ, excepting subpoena, received by the sheriff with instructions.....	\$ 1.00
2. For every sheriff's warrant.....	2.00
3. For the service of a writ other than a subpoena, including return.....	1.00
4. For every other service, including return.....	0.50
5. For interpellation of the defendant before proceeding to the seizure (C.C.P., art. 705).....	3.00
6. For the seizure of an immoveable.....	3.00
7. For recors when required.....	2.00
8. For the seizure of each additional immoveable.....	0.50
9. For preparation of procès-verbal of the seizure of an immoveable.....	3.00
10. For making out the notices of sale, including the copies for the printers.....	5.00
11. For any translation, per hundred words.....	0.40
12. For forwarding the notices to each of the newspapers in which they are to be published, including filing of exhibits in the record.....	1.00
13. For the publication and posting at the church door of the notices of the sale of an immoveable.....	3.00
14. For drafting conditions of the sale of an immoveable.....	2.00
15. For the sale of an immoveable property.....	3.00
For the sale of each additional immoveable when several immoveables seized together are sold in a group or separately.....	0.50
16. For the procès-verbal of offers and bids received for each sale or adjudication.....	2.00
17. For the description of each immoveable other than the first in a procès-verbal, report or other document prepared by the sheriff.....	0.50
18. For every notice or requisition to a registrar for a certificate as to privileges and hypothecs affecting immoveables.....	2.00

19. For the return of an opposition causing a stay of proceedings upon the seizure or the sale (C.C.P., art. 729).....	3.00
20. For the return after the sale (C.C.P., art. 769).....	3.00
21. For any return or procès-verbal not otherwise provided for.....	2.00
22. For every duplicate or copy of a procès-verbal or other document, delivered or registered at full length, per hundred words.....	0.12½
23. For every deed of sale of an immoveable:	
When the price of adjudication does not exceed \$400.	4.00
When it exceeds \$400, but does not exceed \$10,000.	6.00
When it exceeds \$10,000, but does not exceed \$15,000	8.00
When it exceeds \$15,000.....	10.00

When several lots are grouped together and are so offered for sale and sold to the same purchaser, they constitute an immoveable, and should be included in the same deed for one fee.

When several lots grouped together are offered for sale and sold separately, the fees for the deed of sale shall be as follows:

For every deed of sale of one lot or part of a lot:	
When the price of adjudication does not exceed \$400.	4.00
When it exceeds \$400, but does not exceed \$10,000..	6.00
When it exceeds \$10,000, but does not exceed \$15,000.	8.00
When it exceeds \$15,000.....	10.00

For a deed of sale of several lots or parts of lots to the same purchaser:

For the first lot:

The same fees as the above, according to the price of adjudication.

For each of the next fifty lots or parts of lots.....	1.00
For each lot or part of lot over fifty.....	0.50
24. For the registration of the deed of sale.....	2.00
25. For preparing a bill of costs and disbursement at any moment during the proceedings.....	1.00
26. For every bond or transfer thereof, exclusive of tax..	2.00
27. For every transfer of the adjudication.....	2.00
28. On any opposition or claim, exclusive of tax:	
First class S. C.....	2.00
Second class.....	1.50
Third and fourth class.....	1.00
29. On every document or title filed in support of an opposition or claim.....	1.00
30. The tax to be imposed on every opposition or claim for payment or bond is that imposed on analogous proceedings, in virtue of the tariff of the Superior Court (see articles 26 and 40 of the tariff of the Superior Court).	

31. If, in order to seize or sell goods, or to carry out an official duty in civil matters, he is necessarily occupied more than one day, the additional time to be charged at the following rate:
- |                               |      |
|-------------------------------|------|
| Per day or part of a day..... | 5.00 |
|-------------------------------|------|
32. For arresting a person under a writ of *contrainte par corps, capias*, etc..... 4.00
33. For the execution of every order for the delivery of seized goods..... 1.00
34. For the execution of every order for the release of a prisoner..... 1.00
35. For the execution of a writ of possession..... 7.00
36. For every official certificate..... 0.50
37. For every search amongst records for one year only... 0.35  
For every additional year..... 0.10
38. For all proceedings to summon a jury under a writ of *venire facias*..... 4.00
39. Mileage for travelling expenses, per mile..... 0.35
- If the travelling expenses allowed by the tariff are not sufficient to cover the actual travelling expenses of the sheriff, he shall state under oath his reason for renouncing the costs fixed by the tariff to claim his actual travelling disbursements, which shall be as reasonable as possible in ordinary circumstances.
40. The actual disbursements paid for bridges, toll gates, ferries, searches at the registry office, telephone, telegrams and other expenses for proceedings ordered by law.
41. Whenever the sheriff or his deputy performs any of the duties usually performed by a bailiff, which are not provided for in the present tariff, he shall be entitled to receive the fees granted by the tariff of fees for bailiffs in the province of Quebec, for a first class proceeding in the Superior Court.

---

## EXECUTIVE COUNCIL CHAMBER

---

No. 1851

QUEBEC, 6th of October, 1920.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

Whereas article 3511 of the Revised Statutes, 1909, grants to the Lieutenant Governor in Council the power to make, alter or repeal the tariff of fees for high constables, bailiffs and constables; and

Whereas it is expedient to alter said tariff;

Therefore, it is ordered:

1. That item 15 of the tariff of high constables, bailiffs and constables, as replaced by the Order in Council No. 1188 of the 25th of June, 1920, be amended by adding thereto the following paragraphs:

“The above mileage costs may only be charged for the distances necessarily travelled from one place to another without going beyond the limits of a judicial district. When a high constable, bailiff or constable must go beyond the limits of the judicial district where he has his domicile, he has the right to a fee per day determined by the Attorney-General, in addition to his actual travelling expenses.

“For the purposes of the present tariff, the territory added to the district of Quebec by section 5 of the act 7 George V, chapter 14, is considered beyond the limits of the said district of Quebec”.

(Certified),

A. MORISSET,  
*Clerk of the Executive Council.*

---

EXECUTIVE COUNCIL CHAMBER

---

No. 2135

QUEBEC 12th OF NOVEMBER, 1920.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING THE TARIFF OF FEES FOR ADVOCATES IN  
CASES BEFORE THE COURT OF KING'S BENCH, SIT-  
TING IN APPEAL, BEFORE THE SUPERIOR COURT  
AND BEFORE THE CIRCUIT COURT OF THE  
PROVINCE OF QUEBEC

Whereas, in accordance with the provisions of article 4565 of the Revised Statutes, 1909, the General Council of the Bar of the Province may, from time to time, establish a tariff of fees for advocates practising before any of the courts in the Province, and such tariff must be forwarded to the Lieutenant-Governor in Council, and shall come into force after approval;

Whereas, the General Council of the Bar has, on the 7th of October, 1920, established tariffs of fees for advocates practising before the Court of King's Bench, sitting in appeal, before the Superior Court and before the Circuit Court, and has forwarded copies of the same to the Lieutenant-Governor in Council for approval; and

Whereas, it is expedient to approve such tariffs;

THEREFORE, it is ordered that the tariffs of fees for advocates practising before the Court of King's Bench, sitting in appeal, before the Superior Court and before the Circuit Court, adopted at the meeting of the 7th of October 1920, of the General Council of the Bar of the Province of Quebec, be approved, and shall come into force on and from the first of December, 1920.

(Certified)

A. MORISSET,  
*Clerk of the Executive Council.*

---

TARIFF OF ADVOCATES' FEES IN CASES BEFORE THE COURT OF KING'S BENCH, IN APPEAL, AND BEFORE THE SUPERIOR COURT AND THE CIRCUIT COURT OF THE PROVINCE OF QUEBEC

---

COURT OF KING'S BENCH

(APPEAL SIDE)

---

CLASSES OF APPEALS

Article

1. There are three classes of appeals.

The first class consists of:

- (a) Personal, real and mixed actions, when the amount sued for or the value of the thing claimed is \$1,000 or over;
- (b) Special proceedings by injunction, *quo warranto*, *mandamus*, prohibition, annulment of letters patent and other special proceedings (articles 978 to 1010 of the Code of Civil Procedure), unless the class of the appeal be otherwise determined by the judgment in appeal;
- (c) Actions to set aside a will, for partition, of boundary, possessory, petitory, confessional or negatory, of declaration of paternity, for separation from bed and board, oppositions to marriage;
- (d) Proceedings by action or by petition respecting any municipal or school matters, wherefrom an appeal lies.

The second class consists of:

- (a) Personal, real and mixed actions, when the amount sued for or the value of the thing claimed is \$500 or over and under \$1,000;
- (b) Actions for separation as to property, for removal from tutorship, and all personal, real and mixed actions which are not comprised in the first class and which are not otherwise provided for.

The third class comprises all the other appeals.



2. In cases of \$2,000 to \$4,000 and in those mentioned in paragraph *b* of the first class of appeals, an additional fee of \$30 to each attorney, when the case is settled after inscription, but before hearing, and of \$50 when the appeal is argued on the merits.

In cases of \$4,000 to \$10,000, an additional fee of \$60, when the case is settled after inscription, but before hearing, and of \$100 when the appeal is argued on the merits.

In cases of \$10,000 to \$25,000, an additional fee of \$100, when the case is settled after inscription, but before hearing, and of \$150 when the case is argued on the merits.

In cases of \$25,000 to \$50,000, an additional fee of \$150, when the case is settled after inscription, but before hearing, and of \$300 when the appeal is argued on the merits.

In cases of \$50,000 and over, an additional fee of \$200, when the case is settled after inscription, but before hearing, and of \$400 when the appeal is argued on the merits.

### *Tariff*

#### TARIFF OF THE SUPERIOR COURT.

##### *Additional Fees.*

	1st class	2nd class	3rd class
	\$ cts.	\$ cts.	\$ cts.
3. Examining the record for acceptance of the mandate to prosecute or defend.....	12 00		
4. Inscription of the case in appeal and copy.....	25 00	15 00	10 00
5. Examining inscription in appeal.....	13 00		
6. For each notice of security in appeal.....	3 00		
7. Attendance when the security is put in and examining the document.....	15 00	10 00	5 00
8. Drawing and filing of appearance.....	3 00	2 50	2 00
9. On every attendance in Court or in Chambers.....	3 00		
10. For attendance at the office to file pleadings or documents, to take rules or communication of the record or of pleadings filed; for attendance to send back record....	2 00		
11. Drawing petitions, motions, interventions, continuances of suit and other incidents.....	8 00	6 00	4 00
12. For every copy of the documents mentioned in articles 11 and 21.....	2 50		
13. For every copy of motion or petition for the Court.....	1 00		
14. For copies of exhibits for the Court.....	6 00		
15. For making extracts from the record.....	18 00		

	1st class	2nd class	3rd class
	\$ cts.	\$ cts.	\$ cts.
16. Drawing list of the documents which should compose the joint record for printing or typewriting, and copy....	10 00	8 00	6 00
17. Drawing the typewritten statement of facts.....	60 00	40 00	25 00
18. To the attorney of the adverse party for the revisal of this statement.....	30 00	20 00	10 00
(a) Copy of same (per folio of 30 lines).....	0.25	0.25	0.25
(b) For each extra copy for the court.....	1 00	1 00	1 00
(c) When the joint record is typewritten, to appellant's attorney.....	30 00	15 00	10 00
(d) For cost of printing, 60 c. per page, including copies			
(e) To respondent's attorney for the examination of the record.....	15 00	8 00	5 00
19. Drawing of printed or typewritten memorandum or factum.....	100 00	60 00	40 00
20. Fee on every hearing or re-hearing on the merits.....	90 00	50 00	30 00
(a) Fee on every hearing on motion, petition, rule, intervention, continuance of suit and other incident	12 00	10 00	
(b) On every hearing on petition for leave to appeal from an interlocutory judgment.....	12 00	10 00	8 00
(c) Fee on motion for substitution of attorneys.....	12 00	8 00	5 00
21. Drawing every necessary deposition.....	2 50	2 00	1 50
22. Fee on dismissal of the appeal for want of proceeding or on discontinuance or on settlement before the hearing... ..	35 00	25 00	20 00
23. Drawing bill of costs.....	4 00	3 00	2 00
24. Copy of same.....	2 50	2 00	1 50
25. Attendance on remitting record to the court of first instance.... ..	7 00	6 00	5 00
26. For every journey from any other district to Montreal or Quebec, made especially for the hearing of the case.	25 00	25 00	25 00
27. Fee for correcting proofs of the printed joint record and of the printed memorandum or factum (per page).	0 50	0 50	0 50
28. The Court may allow an additional fee (besides the additional fees of the tariff) in very important cases.			

## APPEAL TO HIS MAJESTY

29. Fee on motion to appeal to Privy Council.....	\$ 30.00
30. Fee on security for the Privy Council... ..	20.00
31. Fee for examining the record for determining documents which should compose the printed record for the Privy Council.....	25.00

## ORDERS IN COUNCIL

XIX

32. Drawing list of the documents which should compose the printed record and copy.....	10.00
33. Drawing list of the documents to be omitted from the record and copy.....	5.00
34. Correcting proofs of the record and marginal notes (per page).....	.60
35. For examining each plan to be lithographed or photographed for the Privy Council.....	5.00
36. For examining the index of reference before the printing.....	5.00
37. For examining the printed record for approbation.....	10.00
38. Fees on proceedings to have the appeal to Privy Council declared perempted.....	20.00
39. Fee on every letter or cablegram sent to solicitors in England.....	2.50
40. Fee on receipt of every letter or cablegram from solicitors in England.....	2.50

## APPEAL TO SUPREME COURT

41. Fee on motion to fix security on appeal to the Supreme Court of Canada.....	20 00
42. Fee on each surety bond on appeal to the Supreme Court of Canada.....	20 00
43. Fee on consent of the parties or on petition to determine the documents which should compose the "case" for the Supreme Court of Canada.....	40 00
44. On correspondence with Ottawa and transmission of documents....	20 00

## SUPERIOR COURT

### SECTION I

#### CLASSES OF ACTIONS

##### Article

1. 1st class: (a) actions in which the amount or the value in issue is \$1,000 or over; (b) proceedings by injunction, *quo warranto*, *mandamus*, prohibition, annulment of letters patent and other special proceedings (articles 978 to 1010 C.C.P.), actions to set aside a will, for partition, of boundary, possessory, petitory, confessory or negatory, of declaration of paternity, for separation from bed and board and oppositions to marriage and proceedings by action or by petition in reference to municipal or school matters, unless otherwise provided for by some special law.
2. 2nd class: (a) actions in which the amount or the value in issue is \$400 or over; (b) actions for separation as to property, for removal from tutorship or curatorship, and all personal, real and mixed actions which are not comprised in the first class and which are not otherwise provided for.
3. 3rd class: actions in which the amount or the value in issue is \$200 or over.
4. 4th class: actions in which the amount or the value in issue is \$100 and under \$200.

### SECTION II

#### GENERAL RULES

5. An additional fee is allowed to attorney:

(a) In cases not contested on the merits, of	
\$2,500 or over.....	\$ 25 00
5,000 or over.....	75 00
10,000 or over.....	100 00
50,000 or over.....	200 00

- (b) To each attorney in cases contested on the merits, of
- |                      |          |
|----------------------|----------|
| \$2,500 or over..... | \$ 60 00 |
| 5,000 or over.....   | 100 00   |
| 10,000 or over.....  | 200 00   |
| 50,000 or over.....  | 500 00   |
6. On proceedings for which the tariff does not specially provide, the fees fixed by the tariff on analogous proceedings shall be allowed. The judge may, however, determine the amount of such fees by an order subsequent to the judgment, if the latter does not make mention of them.
  7. The costs in actions in revendication of moveables are taxed as against the plaintiff, according to the value of the property claimed, and, as against the defendant, according to the value of the property for which judgment is rendered.
  8. Hypothecary actions and actions for seigniorial dues, where the title of the seignior is not contested, are considered, in respect of costs, as merely personal actions (R. S., 1909, art. 7472).
  9. The costs in actions to account are taxed as against the plaintiff, according to the amount claimed, and, as against defendant, according to the amount for which he is bound to render account.
  10. In every action arising from the relation of lessor and lessee, in which no condemnation is asked for rent due or for damages (which action is provided for by the Code of Civil Procedure, art. 1152), the costs are those of a personal action in the Superior Court for the value of the occupation of the leased premises for the year at the time of the summons, or, if the lease has expired, according to the rent paid during the last year that the lease was in force.
  11. In actions of damages for personal wrongs, the costs are taxed, as against the plaintiff, according to the amount claimed, and, as against defendant, as of the class of the action to which the amount of the final judgment corresponds (See article 550 C.C.P.)
  12. In actions by way of *capias ad respondendum* for sums of money under \$200, the costs are the same as in fourth class actions.
  13. Actions under the Workmen's Compensation Act (Art. 7321 and following of the Revised Statutes, 1909) are of the class of action according to capital granted; in case of a rent, if the rent is granted by the judgment, these actions are of the second class.
  14. Whenever there are several defendants who sever in their defence, the plaintiff's attorney receives, on each additional contestation, one half of the fee allowed by article 25, plus one half of the *enquête* and hearing fees (arts. 45, 46), with also one half of the additional fee mentioned in article 5, if there be reason; the same rule applies equally to interventions and to all the other proceedings enumerated in article 48 of this tariff.
  15. On petition under the Workmen's Compensation Act (Art. 7321 and following of the Revised Statutes, 1909) when judgment is rendered granting compensation, the fee is that of article 19 of this tariff, according to the amount granted, or the capital sum upon which the rent is based.
  16. The cost of exhibits, copies of plans, deeds or other documents, is included in the bill, only when they have been ordered in view of the suit.

	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
SECTION III				
17. For every notice required by law, prior to the summons or to the return of the writ.....	10 00	8 00	7 00	6 00
18. If the action be settled after the issue of the writ and before return.....	35 00	25 00	18 00	12 00
19. If the action be settled or if defendant confesses judgment on the day of the return or on the following juridical day.....	40 00	30 00	22 00	15 00
20. If the action be settled or if defendant confesses judgment, after the delay mentioned in the preceding article, but before plea filed or inscription for proof, or inscription for hearing on the merits, without <i>enquête</i> .....	45 00	35 00	25 00	22 00
21. If the action be settled after the inscription for proof, but before the closing of the <i>enquête</i> , or after the inscription for hearing on the merits, where no <i>enquête</i> is necessary or if judgment be rendered after such last mentioned inscription.	50 00	40 00	30 00	25 00
22. If the action be settled after <i>enquête</i> closed, or if judgment be rendered after <i>enquête</i> .....	60 00	50 00	35 00	25 00
23. To the attorney of defendant or respondent for his appearance in any action or in the proceedings mentioned in article 48 of this tariff, when no contestation is filed.....	20 00	15 00	10 00	5 00
24. If the action be settled after the filing of any plea, other than a plea to the merits and without <i>enquête</i> , or if the action be dismissed on such plea and without <i>enquête</i> .— to each attorney.....	60 00	50 00	35 00	25 00
25. If the action be settled after the filing of a plea to the merits, to each attorney.....	75 00	60 00	40 00	35 00
26. If the action be settled after the final inscription on contestation on the merits or if judgment be rendered after such inscription, to each attorney.....	100 00	75 00	50 00	40 00
27. If the inscription in law to the action be dismissed or if a partial inscription in law is maintained— to each attorney.....	30 00	20 00	15 00	10 00
28. When the action is submitted on memorandum or factum by order of the judge.— to each attorney for preparing memorandum, besides the fee on hearing, an additional fee of.....	30 00	25 00	15 00	10 00
29. On joint memorandum filed in conformity with article 509 C.C.P., hearing included, besides the additional fee, if there be reason,— to each attorney.....	100 00	75 00	50 00	25 00

	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
30. On attendance to call in defendants, creditors, opposants or others, by newspapers.....	5 00	4 00	3 00	2 00
31. For every duplicate and every additional copy of declaration, petition, <i>requête libellée</i> , incidental demand, intervention, opposition, or affidavit for seizure or other writ or of any other proceeding mentioned in article 48 of this tariff..	6 00	4 00	3 00	2 00
32. For every additional copy of petition or motion service of which is required .....	3 00	2 00	1 00	1 00
33. To each party for preparing each of his pleadings for the judge.....	4 00	3 00	2 00	2 00
34. On affidavits required for the issuing of writs of <i>capias ad respondendum</i> , attachment before judgment, attachment in revendication, conservatory attachment, order of injunction, or of writs of <i>mandamus</i> , prohibition, annulment of letters patent, <i>habeas corpus</i> , including the first copy of such affidavit.....	15 00	10 00	6 00	4 00
35. For every writ of <i>capias</i> , attachment before judgment, or conservatory attachment issued pending the instance,— to Plaintiff's attorney.....	30 00	20 00	15 00	10 00
36. On contestation of <i>capias</i> , attachment before judgment, or conservatory attachment,— To each attorney..... If there be an <i>enquête</i> , see art. 45.	60 00	45 00	40 00	30 00
37. On proceedings for interlocutory or <i>interim</i> injunction, when contested,— to each attorney..... If there be an <i>enquête</i> , see art. 45.	60 00	45 00	40 00	30 00
38. Sequestration: (a) On petition, when not contested,— to petitioner's attorney.....	25 00	20 00	15 00	10 00
(b) On petition, when contested,— to each attorney..... If there be an <i>enquête</i> the fee is in conformity with art. 45 of this tariff.	50 00	40 00	30 00	20 00
(c) On incidental proceedings, fees are of the second class.				
39. On petition asking for the issuing of a prerogative writ or <i>habeas corpus</i> , when dismissed,— to each attorney.....	30 00			
40. On every surety bond,— to each attorney..... If there be an <i>enquête</i> , see art. 45.	10 00	6 00	4 00	4 00

	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
41. On any petition or motion not specially provided for, as also on the contestation thereof,— to each attorney..... If there be an <i>enquête</i> , see art. 45.	10 00	8 00	6 00	4 00
42. For drawing interrogatories on articulated facts: For each copy of such interrogatories.....	8 00 2 00	6 00 2 00	4 00 2 00	2 00 2 00
43. On proceedings had under art. 286 C. C. P. for the examination of a party after plea filed, as also on those had under articles 590, 591, 811, 882 and 883 C. C. P., for the examination of debtors, opposants or other creditors, including examination..... On notice to attorney of the adverse party.	15 00 2 00	10 00 2 00	6 00 2 00	4 00 2 00
44. 1. Preliminary exceptions to action and grounds in law against any pleading other than the declaration; (a) On judgment rejecting declinatory exception; exception to the form, of <i>lis pendens</i> or dilatory exception; (b) On judgment maintaining dilatory exception; (c) On judgment on declinatory exception referring case to competent court or judge; (d) On any other pleading in law rejected after hearing,— to each attorney.....	25 00	20 00	15 00	10 00
2. On judgment allowing a party to amend a pleading, after the filing of an exception or answer, fee of motion not included,— to the attorney of the adverse party...	10 00	8 00	6 00	4 00
3. On plea <i>puis darrein continuance</i> ,— to each attorney.....	10 00	8 00	6 00	4 00
45. Enquête fees:				
1. On all proceedings mentioned in article 48 of this tariff, when not contested, and on every preliminary exception, petition, motion, rule or any other incidental proceeding, after <i>enquête</i> made, or on filing an affidavit.....	15 00	10 00	8 00	5 00
2. In every contested case or proceeding mentioned in article 48 of this tariff, when contested, after <i>enquête</i> made.....	35 00	25 00	20 00	15 00
3. In any contested case, when the proof or hearing has necessarily lasted more than one day; a fee for every additional day or part of day of.....	25 00	15 00	10 00	6 00
46. Hearing and re-hearing;				
1. For hearing of a contested action and of the proceedings mentioned in article 48 of this tariff when contested, as well as on every re-hearing ordered.....	25 00	20 00	15 00	10 00
2. For every re-hearing on any plea ordered by the court.....	15 00	10 00	6 00	4 00

	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
3. For every re-hearing ordered by the court on a rule or any other proceeding not specially provided for.....	5 00	4 00	3 00	2 00
47. Continuances:				
1. On the postponement of a case at <i>enquête</i> or on the merits,— to each attorney.....	8 00	6 00	4 00	2 00
2. On the continuance of a preliminary exception, petition, motion, rule, or other incidental proceeding, one of the parties not being ready to proceed therewith,— to each attorney.....	2 00	2 00	2 00	2 00
48. On the following proceedings				
1. Incidental and cross demands;				
2. Intervention;				
3. Improbation, after filing reasons (an additional fee of \$4.00 for supervising the power of attorney);				
4. Disavowal;				
5. Continuance of suit;				
6. Oppositions to annul, to withdraw, and to secure charges;				
7. Opposition for payment;				
8. Vacating sheriff's sale;				
9. Contestation of report of distribution or collocation, (contesting party being considered plaintiff);				
10. Contestation of garnishee's declaration (contesting party being considered plaintiff);				
11. Resale for false bidding;				
12. Petition in revocation of judgment (after allowance by the judge);				
13. Opposition by third parties,—				
The fees are:				
(a) If settled after filing.....	25 00	20 00	12 00	8 00
(b) If judgment be rendered by default or <i>ex parte</i> .....	35 00	25 00	16 00	12 00
If there be an <i>enquête</i> , see Art. 45.				
(c) If contested, the fees of a contested case.				
The fees on every incidental demand, intervention, opposition for payment, contestation of report of distribution, contestation of garnishee's declaration, or opposition by a third party, follow the amount claimed by such proceedings: on the opposition to withdraw, the value of the effects required to be withdrawn; on the petition for resale for false bidding and on that for vacating sheriff's sale, the amount of the adjudication; and on every other proceeding, the class of the action in which they are filed.				
14. The additional fee allowed by article 5 of this tariff applies, if there be reason, to the proceedings mentioned in this article 48.				



	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
49. Rogatory commission. To each attorney,—				
(a) for choosing the commissioners.....	10 00	8 00	6 00	4 00
(b) for drawing interrogatories and cross in- terrogatories.....	10 00	8 00	6 00	4 00
(c) to the party prosecuting the execution of the commission.....	10 00	8 00	6 00	4 00
50. Trial by jury. Besides the fees on the action,— to each attorney:				
(a) for drawing statement of facts to be sub- mitted to the jury.....	15 00			
(b) for striking the panel.....	15 00			
(c) for preparing memorandum or factum.....	35 00			
(d) for all proceedings from the verdict to judgment.....	30 00			
51. Accounting. (See article 9). Besides the fees on the action:				
1. For the proceedings subsequent to a judg- ment ordering an account to be rendered, when account is not contested,— to each attorney.....	25 00	10 00	15 00	10 00
2. If the account be contested, the fees are the same as in a contested personal action, the contestant being considered plaintiff.				
52. On proceedings to appoint curator to a surrender in hypothecary action,— to the attorney.....	10 00	8 00	6 00	4 00
53. On attendance to register a judgment or any other deed for the preservation of real rights....	15 00	8 00	6 00	4 00
54. For preparing the notice of hypothec or the notice of registration of any other deed for the preservation of real rights.....	15 00	8 00	6 00	4 00
55. Writ of possession: For the issue of writ.....	5 00	4 00	3 00	2 00
56. Execution. On issue of writ:				
1. <i>De bonis</i> .....	10 00	6 00	3 00	2 00
2. <i>De terris</i> .....	12 00	8 00	6 00	4 00
3. For instructions to the Sheriff and searches at the Registry office, besides the real cost of such searches.....	15 00	10 00	6 00	4 00
4. For attendance at the judicial sale of an immoveable. To plaintiff's attorney.....	10 00	8 00	5 00	5 00
The fees on execution follow the class of action in which the writ is issued. If, however, the writ be issued for a less sum, the fees follow the class of action of the amount claimed. The same rule applies to proceedings sub- sequent to the writ.				

	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
57. Seizure by garnishment after judgment: The fees on seizure by garnishment after judgment follow the class of action in which the writ is issued; if, however, the writ be issued for a less sum, the fees follow the class of the amount claimed;				
1. On issue of writ.....	12 00	10 00	6 00	4 00
2. If judgment be rendered by default against garnishee, or upon his declaration.....	15 00	12 00	10 00	8 00
3. For attendance at declaration of each garnishee.....	6 00	4 00	3 00	2 00
4. If seizure be contested, same fees as in a contested case..				
5. If garnishee's declaration be contested, the same fees as in a contested case, according to the amount claimed from the garnishee.				
58. Report of distribution.				
1. On proceedings to have report of distribution prepared or to have moneys paid without the formalities of report of distribution.....	15 00	10 00	6 00	6 00
2. On appearance for a creditor or for a party collocated and filing of documents, the fee on appearance is fixed by article 23, according to the amount of the claim or collocation.				
59. Coercive imprisonment;				
1. On petition or motion for rule,— to each attorney.....	15 00	8 00	6 00	4 00
2. For proceedings on rule, when not contested,— to attorney of petitioner.....	15 00	12 00	10 00	8 00
3. If rule be contested: to each attorney..... If there be an <i>enquête</i> , see art. 45.	25 00	20 00	15 00	10 00
60. Annulment of letters patent:				
1. On preliminary proceedings to obtain from the Attorney-General or Solicitor General the authorization to proceed.....	25 00			
61. Petition of right:				
1. Fees according to amount in issue.				
2. On proceedings to obtain Lieutenant-Governor's fiat. ....	25 00			
62. Hypothecary actions against immoveables, whose owners are unknown or uncertain. The fees are according to the amount claimed.				

	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
63. Partition and licitation:				
In addition to the fees of the action				
1. For preparing list of charges.....	25 00			
2. For preparing notices.....	10 00			
3. For all proceedings subsequent to judgment ordering licitation, when there is only one immoveable,— to attorney of the party prosecuting the licita- tion, one fee only, of.....	60 00			
4. For each additional immoveable \$5.00 per immoveable (this fee not to exceed \$50.00), to attorney of defendant or defendants who do not contest, besides the fee on the ap- pearance, one fee only, of. ....	25 00			
64. Confirmation of title:				
On proceedings to obtain judgment of con- firmation of title,— to petitioners' attorney:				
1. If purchase money does not exceed \$400 ..	25 00			
2. If purchase money exceeds \$400, but does not exceed \$1,000, or, if the consideration is not of a pecuniary nature.....	35 00			
3. If purchase money exceeds \$1,000.....	45 00			
4. If purchase money exceeds \$2,500.....	60 00			
5. If purchase money exceeds \$5,000.....	75 00			
6. If purchase money exceeds \$10,000.....	100 00			
7. If purchase money exceeds \$25,000....	200 00			
8. The fees on oppositions to judgment of con- firmation of title, are the same as on oppositions to executions.				
65. Deposits in conformity with articles 1484 and 1486, of the Revised Statutes, 1909.				
On proceedings by a creditor to withdraw the whole or part of the sum deposited:				
1. If there be no contestation,— to petitioner's attorney:				
When the amount claimed is \$5,000 or more..	30 00			
When the amount claimed is \$2,500 or more..	25 00			
When the amount claimed is \$1,000 or more..	20 00			
When the amount claimed is \$400 or more....	15 00			
When the amount claimed is \$200 or more....	10 00			
When the amount claimed is less than \$200...	5 00			
2. If contested, to each attorney, same fees as in a contested case, according to the amount claimed.				
66. Separation, whether from bed and board, or as to property:				
Besides the fees on this action:				
1. For preparing and sending notices... \$10 00				
2. On proceedings to determine the reprises of the plaintiff:				
(a) If there be no contestation,— to the plaintiff's attorney.....	\$20 00			
(b) If contested,— to each attorney.....	\$40 00			

	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
67. <i>Habeas corpus</i> :				
1. If not contested,—				
to petitioner's attorney.....	\$15 00			
2. After the issue of the writ, to each				
attorney, the fees of a second				
class action.				
3. On incidental proceedings, the fees				
are those of a second class action.				
68. Evocation:				
1. On proceedings to have evocation				
declared well founded,—				
to each attorney.....	\$10 00			
2. If the evocation be declared well				
founded, the costs of the action				
are those of a third class action in				
Superior Court and they cover				
the services rendered in both				
courts.				
69. Appeals from inferior tribunals to the				
Superior Court;				
1. If there be no contestation,—				
to the appellant's attorney.....	\$15 00			
2. If there be a contestation,—				
to each attorney.....	\$30 00			
70. Opposition to judgment is a plea to the action.				
(Art. 1173, C. C. P.)				
71. Petition in revision is a plea to the action.				
72. Petition in revocation of judgment: See article 48				
73. Opposition by third parties: See Article 48.				
74. In cases presently pending before the Court of				
Review and in those which may become so				
under the transitory dispositions of the Act 10				
Geo. V, chapter 79, the tariff of fees of the Court				
of Review, which came in force the 1st of Sep-				
tember, 1912, shall apply.				
75. Appeal abandoned: Court of King's Bench, Appeal				
Side (under article 1213 C. C. P.);				
to respondent's attorney,—				
1. For examining inscription.....	20 00	15 00	10 00	.....
2. For attendance to receive security.....	15 00	10 00	8 00	.....
3. Fee on appeal abandoned.....	30 00	25 00	20 00	.....
Appeals to Supreme Court and to His Majesty,				
see tariff of the advocates in the Court of				
King's Bench.				
76. <i>Certiorari</i> :				
1. On petition, affidavit included,—				
to each attorney.....	\$15 00			
2. If the case be settled after the issue or return				
of the writ, or if the <i>certiorari</i> be not con-				
tested,—				
to each attorney.....	\$20 00			

	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
3. If contested, or if judgment be rendered after contestation,— to each attorney.....\$50 00				
4. On the incidental or subsequent proceedings, the fees are those of a second class action.				
<b>77 .Non-contentious proceedings:</b>				
In these proceedings, besides the fees herein- after mentioned, second class fees are allowed on incidental proceedings.				
1. Petition for appointment of commissioner of Superior Court, or authorization to sign a deed, or any petition of a like nature, for reinvestment of substituted properties, for rectification of the registers of civil status, for exhumation, or for inspection of notarial documents,—				
(a) When there is no contestation,— to petitioner's attorney.....\$10 00				
(b) When there is a contestation,— to each attorney.....\$30 00				
(c) Petition to authorize a married woman to sign deed, if there be no contestation.\$20 00 If there be contestation,— to each attorney.....\$50 00				
2. Proceedings for appointment of testamen- tary executors, or to be relieved from office of testamentary executor:				
(a) When there is no contestation,— to petitioner's attorney.....\$25 00				
(b) To each attorney, if there be a contesta- tion, the fees of a second class action.				
3. Family council, tutorship, curatorship, in- diction, judicial advisers, etc. To petitioner's attorney:				
(a) On petition for convocation.....\$10 00				
(b) On every additional copy of petition for convocation served on relatives....\$2 00				
(c) For attendance at family council, when there is no contestation.....\$10 00				
(d) When there is contestation,— to each attorney.....\$30 00				
(e) If there be an <i>enquête</i> .....\$10 00				
(f) If the <i>enquête</i> lasts more than one day, an additional fee per day or part of day, of.....\$10 00				
4. Sale of property belonging to minors and other disqualified persons:				
(a) For preparing notices.....\$ 5 00				
(b) When property does not exceed \$400 in value.....\$20 00				
(c) When property exceeds \$400 in value.\$40 00				
5. Affixing and removing seals:				
(a) When there is no contestation,— to petitioner's attorney.....\$10 00				
(b) Where there is a contestation,— to each attorney.....\$25 00				

	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
6. Benefit of inventory:				
(a) To petitioner's attorney on petition.	\$10 00			
(b) To petitioner's attorney, on surety bond.....	\$ 6 00			
7. Letters of verification:				
To petitioner's attorney if there be no contestation:				
(a) On petition.....	\$20 00			
(b) On every additional copy of petition served on heirs.....	\$ 2 00			
(c) For preparing notices.....	\$ 5 00			
(d) When there is a contestation, to each attorney, fees of a contested second class action.				
8. Putting into possession:				
(a) If there be no contestation,— to petitioner's attorney.....	\$20 00			
(b) For preparing notices.....	\$ 5 00			
(c) If there be a contestation, to each attorney fees of a contested second class action.				
9. Probate of will:				
On the proceedings for probate of a will.....	\$30 00			
10. On appeal in the non-contentious proceedings, the fees are those of a second class action in appeal.				
78. Abandonment of property, liquidation of insolvent partnerships, corporations, banks, or insurance companies:				
1. For the issue of the writ or demand of abandonment of property.....	\$20 00			
2. For examining the debtor's declaration of abandonment and statement....	\$20 00			
3. On every petition and motion.....	\$10 00			
4. For attending a meeting of creditors or shareholders in Court, or a meeting ordered by the Court.....	\$20 00			
5. For preparing any ordinary claim....	\$ 2 00			
6. For preparing a privileged or hypothecary claim.....	\$ 3 00			
7. On contestation of claim or dividend sheet or of a petition for the appointment of a liquidator, or of a petition to have a party held to contribute, and other like proceedings, the same fees as in ordinary actions for a similar amount.				
8. On proceedings not specially provided for, same fees as under the general tariff in so far as it is applicable.				
9. Article 78 continues to be applicable to matters respecting abandonment of property, and it shall apply to insolvency matters, unless otherwise ordered by law.				
79. Advocate acting as arbitrator, practitioner or inquiring commissioner, unless otherwise agreed between the parties:				

	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
1. For examining case and record.....	50 00	40 00	30 00	20 00
2. For every attendance of sitting less than one hour, and for every hour, (provided that not more than three hours be allowed in taxation per day).....	10 00	8 00	6 00	4 00
3. For drawing up the judgment.....	30 00	25 00	20 00	10 00
4. To the clerk for every sitting of less than one hour, and for every hour, (provided that not more than three hours be allowed in taxation per day).....	1 00	1 00	1 00	1 00
80. Valuation and arbitration. To advocates representing an interested party, in a matter submitted to experts, auditors, practitioners or arbitrators, when amount claimed is \$200.00 or over:				
1. For attendance at every sitting when it is proceeded with per day,.....	25 00	20 00	15 00	10 00
2. For attendance at any sitting convoked, when it is not proceeded with.....	6 00	5 00	4 00	3 00
81. Expropriation:				
1. On petition for the appointment of commissioners or arbitrators,—				
to each attorney.....	\$10 00			
2. For instructions, examination of the premises, preparing of the offer or claim, or the interview with the witnesses, examining the offer, etc.:				
When the amount awarded is \$10,000 or more.....	\$50 00			
When \$5,000 to \$10,000.....	\$40 00			
When \$5,000 to \$2,500.....	\$30 00			
When \$2,500 to \$1,000.....	\$25 00			
When \$1,000 to \$400.....	\$20 00			
When under \$400.....	\$15 00			
3. For attendance at each sitting, when it is proceeded with, per day.....	\$10 00			
4. For attendance, at the adjournment, when the case cannot be proceeded with, per day.....	\$ 5 00			
5. On subsequent proceedings, the fees are according to the amount awarded to party expropriated.				
6. When there is an appeal to the court from the award of the arbitrators, or some similar proceeding, the same fees as in an action for a similar amount.				
82. On proceedings for the payment of moneys awarded in expropriation matters:				
To the attorney of the party expropriated:				
1. When the amount allowed is \$5,000 or more.....	\$40 00			
2. When the amount allowed is \$2,500 or more.....	\$30 00			
3. When the amount allowed is \$1,000 or more.....	\$25 00			

	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
4. When the amount allowed is \$400 or more.....\$20 00				
5. When the amount allowed is \$200 or more.....\$15 00				
6. When the amount allowed is \$100 or more.....\$10 00				
7. When the amount allowed is less than \$100.....\$ 5 00				
8. When there is a contestation, the fees are the same as in contested actions of the same class.				
83. On proceedings in opposition to the homologation of a report of commissioners or arbitrators (according to amount allowed),— to each attorney.....	50 00	40 00	30 00	20 00
84. Lawyer's letter: Fee recoverable from the debtor by the claimant's attorney in conformity with article 4562 of the Revised Statutes, 1909, for a letter, when no suit is taken and after the debtor has been put in default by the creditor.....	10 00	8 00	6 00	4 00
85. Bills of costs:				
1. For preparing and drawing final bill of costs, In contested cases.....	3 00	2 00	1 50	1 00
In <i>ex-parte</i> cases.....	2 00	1 50	1 00	1 00
2. For notice of taxation and attendance at taxation of the final bill (in contested cases only).....	3 00	2 00	1 50	1 00

## CIRCUIT COURT

## CLASSES OF ACTIONS

1. 1st class.....from \$60 to \$100
- 2nd — ..... " 40 to 60
- 3rd — ..... " 25 to 40
- 4th — .....under 25

## General rules:

2. In actions of \$100 and over, same fees are allowed as in actions for a similar amount in the Superior Court.
3. In actions before the Magistrates' Court (civil jurisdiction), the same fees are allowed as in the Circuit Court in actions for a similar amount.
4. In actions for damages for personal wrongs, the costs are of the class determined by the final judgment, unless otherwise ordered by the judgment.



	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
5. The rules of articles 6, 7, 9, 10, 11, 14 and 15, of the tariff of advocates in the Superior Court, are applicable to that of the Circuit Court, <i>mutatis mutandis</i> .				
6. For every notice required by law, whether prior to the summons, or to the return of the writ.....	5 00	4 00	3 00	2 00
7. For drawing the affidavit or attachment before judgment, attachment for rent, attachment in revendication, and any special affidavit..	3 00	2 00	1 50	1 00
8. For drawing original of the declaration, of the incidental demand, or cross-demand, of the intervention, of the opposition to annul or withdraw.....	2 50	2 00	1 50	1 00
9. For every copy, over one, of a declaration, incidental or cross-demand, intervention, or petition in revocation of judgment.....	1 00	0 75	0 50	0 25
10. Preparing notice of privilege, of hypothec, or of another deed having the effect of a judicial hypothec.....	3 00	2 00	1 50	1 00
11. Attendance to register a deed for the preservation of real rights or of a legal hypothec...	5 00	4 00	3 00	2 00
12. On action settled before return.....	6 00	4 00	3 00	2 00
13. On action settled after return and before contestation,— to Plaintiff's attorney.....	8 00	5 00	4 00	3 00
to defendant's attorney, for appearance..	3 00	2 00	1 50	1 50
14. On judgment on confession or by default or <i>ex-parte</i> , without <i>enquête</i> , that is to say, without examination in court of any witness for either of the parties.....	10 00	6 00	5 00	4 00
15. On judgment by default or <i>ex-parte</i> , but with <i>enquête</i> ,— to plaintiff's attorney.....	12 00	8 00	6 00	5 00
to defendant's attorney, if he attends the <i>enquête</i> .....	5 00	4 00	3 00	2 00
16. On actions settled after contestation,— to each attorney.....	12 00	8 00	6 00	5 00
17. On the written plea to the merits.....	2 50	2 00	1 50	1 00
18. On answer to plea, and on replication to answer.....	1 00	0 50	0 25	0 25
19. When judgment is rendered after contestation, to each attorney.....	15 00	10 00	8 00	6 00

	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
20. For every copy of subpoena certified by the attorney.....	0 10	0 10	0 10	0 10
21. <i>General enquête</i> fee,— to each attorney.....	6 00	5 00	4 00	3 00
22. Additional fee in all hypothecary or mixed actions, and in all actions having conclusions other than for the payment of a specific sum of money.....	4 00	3 00	2 50	1 50
23. On every incidental or cross-demand, or intervention, the same fees as those allowed in actions for a like amount.				
24. Improbation: If settled before the articles of improbation are filed, all motions required by the code of C. Proc., as also the declaration of the defendant in improbation as to whether he intends to avail himself of the document impeached, shall be taxed after a motion according to art. 28.				
25. If settled after the articles of improbation are filed, but before answer, the fees of the attorneys are those of article 27 of this tariff. If the settlement take place at any subsequent stage of the proceedings, or if judgment be rendered on the improbation, the costs are those of the original demand, if it was settled at the same time.				
26. On every intervention, opposition to annul, to withdraw, to secure charges, or other oppositions not contested, opposition by a third party, as also claim made under the Lacombe Law.....	6 00	5 00	3 00	2 00
27. On same when contested, the same fees as in the original actions to which they are filed, except on opposition to withdraw, where fees are those of an action for the value of the moveables in issue; such value being determined by the judgment or by affidavit; provided, however, the value of the moveable does not exceed the amount of the original suit: In case of contestation of the claim made under the Lacombe Law, the fees are those of the class of such claim.				

	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
28. On each proceeding by motion or petition for <i>rule nisi</i> , continuance of suit, coercive imprisonment or in any case of <i>rébellion à justice</i> , or to set attachment aside, either on insufficiency of affidavit or on ground that allegations of affidavit are untrue,— to petitioner's attorney if there be no contestation.....	4 00	3 00	2 00	1 00
If there be a contestation besides the <i>enquête</i> fee (if there be an <i>enquête</i> )—, to each attorney.....	6 00	4 00	3 00	2 00
29. On opposition for payment, if contested, the fees are those of an action for the amount claimed.				
30. On every preliminary exception (declinatory exception, to the form or of <i>lis pendens</i> ) or demurrer, when maintained, the action being dismissed on such exception, to defendant's attorney, same fee as in article 19. If a preliminary exception or demurrer be maintained for costs only, without the action being dismissed, to each attorney, an additional fee of.....	3 00	2 00	1 50	1 00
31. When plaintiff is permitted to amend his declaration, after the filing of a demurrer,— to defendant's attorney.....	1 50	1 00	0 75	0 50
32. On proceeding respecting the putting in of security,— to each attorney.....	1 50	1 00	0 75	0 50
33. On every pleading ordered by the court,— to each attorney.....	1 50	1 00	0 75	0 50
34. For <i>enquête</i> on preliminary exception, examination of the parties, of the opposant, or of a debtor under arts. 590 or 591 C.C.P....	3 00	2 00	1 50	1 00
35. For drawing interrogatories on articulated facts.....	2 50	2 00	1 00	0 50
36. On a commission to examine witnesses, rogatory commission or order to inquiring commissioner,— to each attorney.....	2 50	2 00	1 50	1 00
37. For drawing interrogatories or cross-interrogatories.....	2 00	1 00	0 75	0 50
For each copy of interrogatories.....	1 00	1 00	0 75	0 50
38. For taking answers to interrogatories and examining documents.....	2 00	1 00	0 75	0 50
For examination in chief or cross-examination of each witness.....	0 50	0 40	0 30	0 25

	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
39. To attorney prosecuting the execution of the commission or order, an additional fee of..	2 00	1 00	0 75	0 50
40. To inquiring commissioner for his services in case referred to him, when the number of witnesses does not exceed three.....	3 00	2 00	1 50	1 00
For each witness above three.....	0 50	0 40	0 30	0 25
41. When the enquête in a contested case has been continued by the Court, one of the parties not being ready to proceed therewith,— to attorney of the adverse party.....	1 50	1 00	0 75	0 50
42. On every affidavit in support of a special proceeding or of a special incident in the cause.	0 50	0 50	0 25	0 25
43. On every motion or petition not otherwise provided for,— to each attorney.....	2 00	2 00	1 00	1 00
44. For proceedings subsequent to a judgment ordering account to be rendered in an action to account if it be not contested,— to each attorney.....	4 00	2 50	1 50	1 00
If the account be contested, costs are those of a contested personal action, the amount to be determined by the amount for which the accounting party shall be declared accountable, beyond the amount admitted to be due by the account filed, if the costs be payable by the accounting party, and by the amount claimed by the contestation, if the costs be payable by the party accounted to.				
45. For the appointment of a curator to the surrender in hypothecary action.....	1 50	1 00	0 75	0 50
And to the curator.....	1 00	0 75	0 50	0 25
46. When a writ of attachment before judgment is issued after summons,— to attorney prosecuting.....	5 00	4 00	3 00	2 00
47. On every proceeding for a writ of possession or to obtain possession of goods:				
If not contested.....	4 00	3 00	2 00	1 00
If contested.....	6 00	4 00	3 00	2 00
Plus the <i>enquête</i> fees, if any there be.				
48. On the issuing of a writ of possession, execution <i>de bonis</i> , or coercive imprisonment.....	2 00	2 00	1 00	1 00
49. On writs of attachment by garnishment after judgment, before return.....	3 00	2 00	1 50	1 00
50. On same, after return, for attendance at the declaration of the garnishee, and taking judgment, whether by default, or on the declaration, an additional fee of.....	5 00	4 00	3 00	2 00

	1st class	2nd class	3rd class	3rd class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
51. On same, for each garnishee, above three. . . .	1 00	1 00	0 50	0 25
52. If the declaration of the garnishee or the attachment by garnishment be contested, same fees as in an action for an amount equal to that of the action between the parties,—				
53. On the issuing of a writ of execution <i>de terris</i> .	4 00	3 00	2 00	2 00
54. For prosecuting to judgment a report of distribution, not contested. . . . .	3 00	2 00	1 50	1 00
On same, if contestation be withdrawn or acquiesced in by parties,—				
to each attorney. . . . .	3 00	3 00	2 00	1 50
If judgment be rendered after hearing, an additional fee of. . . . .	2 00	1 50	1 00	0 50
55. Additional fee on any motion or proceeding to call in creditors, exclusive of affidavits. .	1 50	1 00	0 75	0 50
56. The fee for an evocation is as in the first class action, if allowed; if refused, a fee of \$5.00 is allowed to each party.				
57. On every hearing on the merits ordered by the court in contested cases,—				
to each attorney. . . . .	2 00	1 50	1 00	0 50
58. On <i>certiorari</i> and appeals from inferior Courts, same fees as are provided for in the Superior Court tariff for similar proceedings.				
59. Fees respecting probate of will, for appointment of tutor or curator, or for removal of interdiction, or emancipation, and on appeals to the Court on any such proceedings, are the same as in the Superior Court.				
60. On contestation of municipal or school elections, on proceedings by action, or petition in municipal or school matters, or respecting electoral lists, or other similar proceedings, the fees are those of the fourth class actions in the Superior Court. (Mun. C. 1916, art. 430 and 433.)				
61. Lawyer's letters:				
Fee recoverable from the debtor by the claimant's attorney in conformity with article 4562 R. S., 1909, for a letter, when no suit is taken and after the debtor has been put in default to pay by the creditor. . . . .	3 00	2 50	2 00	1 00

	1st class	2nd class	3rd class	4th class
	\$ cts.	\$ cts.	\$ cts.	\$ cts.
62. For drawing bills of costs in contested cases..	1 00	1 00	0 75	0 50
In non-contested cases.....	0 50	0 50	0 40	0 25
For copy to be served on the adverse party..	0 25	0 20	0 15	0 10

Certified a true copy of the tariff adopted by the General Council of the Bar of the Province, at its meeting held on the 7th of October, 1920.

VICTOR MARTINEAU,

*Secretary-treasurer  
of the General Council.*

## EXECUTIVE COUNCIL CHAMBER

No 2224.

QUEBEC, 27th of November, 1920.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

It is ordered that the rules of practice of the Quebec Public Services Commission be approved, the whole in accordance with the provisions of article 749 of the Revised Statutes, 1909 (10 Geo. V. c. 21).

(Certified),

A. MORISSET,  
*Clerk of the Executive Council.*

## RULES OF PRACTICE

### INTERPRETATION

1. The word "Act" shall mean the Act to create the Quebec Public Service Commission and all amendments thereto, articles 718 and following of the Revised Statutes of the Province of Quebec, as replaced by the act 10 George V, chapter 21.

"Affidavit" shall include affirmation.

## SITTINGS OF THE COMMISSION

2. The Commission shall sit in the Court House, in the City of Quebec, on the last Tuesday of each month, not being a public holiday, at the hour of ten in the forenoon, for the purpose of hearing all applications, but not necessarily during the months of July and August.

3. Should such Tuesday be a public holiday, the sitting shall take place on the next Tuesday.

4. The Commission may sit at Quebec and at other places in the Province, at such times and dates as it may fix, and of which six clear days' notice shall be given to all interested parties.

5. Any Commissioner acting under the provisions of articles 723 or 754 of the Act, shall be deemed to hold a sitting of the Commission for all purposes for which he is authorized.

## APPLICATIONS AND ANSWERS

6. No precise form is required for applications, but the following rules shall be observed:—

They shall be printed, typed or legibly written in either French or English and on one side of the paper only.

The full name, occupation and address of the party making the application shall be given, also the full name and address of the party against whom any complaint is made.

They shall be addressed to the Commission, and be either mailed or delivered to the Secretary, at the Court House, Quebec.

The matters of application shall be set forth in paragraphs consecutively numbered.

If the matter of the application relates to the doing or failure to do a specific work, a plan or drawing, with sufficient detail to illustrate what is referred to, shall accompany the application.

If any statute be invoked, reference to the statutes and section shall be given.

The redress desired shall be stated as a conclusion.

The application shall be signed by the party, or his attorney, whose address must be given.

All applications, on being received by the Secretary, shall be numbered by him, and thereafter all documents referring to any application must be numbered accordingly.

A copy for each party complained of shall be sent to the Secretary with each application.

7. Answers shall, in so far as applicable, be governed by the rules regarding applications, and should,—in addition, admit or deny each allegation of act in the application, and, if denied, state what are alleged to be the correct facts.

8. Rejoinders may be made where new facts are to be stated, and shall conform to the above rules, so far as applicable.

9. The Secretary shall communicate all applications to the party complained of, by either delivering the copy to him or by mailing it to his address, registered, with a notice that he must file an answer thereto, with the Secretary, within eight days from its mailing or delivery.

10. Answers and other pleadings must be accompanied by a certificate of service upon the opposite party or his attorney, and be filed within eight days of the mailing or delivery of the document to which they relate.

11. The Commission or President may extend the above delays or allow amendments to any pleading, at any time, under such conditions as may be fixed.

12. Application for permission to do anything under authority of the Commission shall, in so far as applicable, conform to the above rules, shall clearly set forth all matters deemed pertinent, and the specific permission requested.

13. Applicants must supply the Commission with such data and other information as it may require, in the form and manner prescribed in each case, of which the applicant will be notified.

14. The Commission may require that any application be supported by the affidavit of the applicant, or of some officer of the applicant, if a corporation, or of any person having knowledge of the facts.

15. Before proceeding with the final hearing and determination of any matter in dispute, the Commission may require the appearance of the parties at a preliminary hearing in order to limit the issue and fix the facts as nearly as possible.



## EXHIBITS

16. All plans, drawings or documents proper for the understanding of any pleading, shall be produced with it.

17. Each party shall produce, within a delay of one clear day after notice to that effect shall have been served upon such party, all documents, books or plans referred to in any pleading filed by such party, for the inspection of the opposite party or that of its solicitor, and to make copies and extracts therefrom, under penalty of being deprived of the right to use such document, book or plan without special permission of the Commission.

18. Either party may require the other to produce any book, plan or document for use in evidence at the hearing of any case, provided one clear day's notice be given in writing.

## APPEARANCES

19. Any party may appear and plead in person or by attorney, or, if it be a corporation, by its president, vice-president, manager, secretary or engineer.

## NOTICES

20. Notice of hearing shall be given by the Secretary by mail, registered, or by delivery to all parties concerned, at least six clear days in advance of such hearing.

21. All applications shall be noted by the Secretary in the order in which they are received, and thus set down for hearing upon a list which he shall keep for the purpose.

## WITNESSES

22. Orders for the appearance of witnesses may be obtained from the Secretary, and shall be served by a bailiff at the diligence of the party calling the witness, at least twelve hours before the hearing, with an additional twelve hours for each fifty miles the witness may require to travel to reach the place of sitting.

23. In the case of a witness not residing within the municipal limits of the place of hearing, the Secretary may require a deposit to cover the reasonable travelling and maintenance expenses of the witness. He shall note the amount of the deposit upon the order and copy to be served upon the witness.

## HEARING

24. No witness shall be required to produce the books or other records of any municipality or public utility without an order of a

Commissioner. Witnesses may be taxed by the Commission for all fees and expenses.

25. The rules of evidence shall be those followed in the Superior Court, but nothing herein shall be held to derogate from the authority of the Commission to accept evidence by affidavit or written affirmation.

26. Nothing herein contained shall in any way restrict an enquiry being made under the provisions of articles 723 or 754 of the act, in such manner as the person authorized is directed or may deem best.

27. Argument may be had verbally or by brief or factum.

Argument upon any question which, in the opinion of the Commissioners, is a question of law, may be had before the President sitting alone, at any time or place he may arrange with the interested parties.

#### DECISIONS

28. All decisions shall be given by the Commission at a public sitting so far as practicable. The reasons therefor may be stated verbally or in writing, but any order made shall be communicated to both parties in writing.

29. Any application to alter, modify or rescind any order of the Commission must be accompanied by all reasons to be advanced in favour of such application, and supported by an affidavit that the facts alleged therein are true.

#### GENERAL PROVISIONS

30. If any delay expire on a non-judicial day or a Saturday, or anything is ordered to be done on such a day, it may of right be done on the next following judicial day.

31. In any case where service is required to be made of a notice or any document, it shall be done, unless otherwise provided by these rules, in accordance with the provisions of the Code of Civil Procedure of the Province of Quebec.

32. In any matter or thing not provided for in the Act, or in these Rules of Practice, recourse shall be had to the President, who shall, as far as possible, be guided by the Rules of Practice of the Superior Court of the Province of Quebec.

---

## EXECUTIVE COUNCIL CHAMBER

QUEBEC, 12th of February, 1921.

No. 162.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING THE TARIFF OF FEES OF CLERKS OF THE  
PEACE AND CLERKS OF JUSTICES OF THE PEACE

Whereas under and by virtue of the provisions of article 3253 of the Revised Statutes, 1909, the Lieutenant-Governor in Council may make, amend or repeal any tariff of fees payable to the clerks for their services in the execution of any order of the justices of the peace;

Whereas under and by virtue of article 3511 of the Revised Statutes, 1909, the Lieutenant-Governor in Council may make, alter or repeal any tariff of fees whether established by act of the Legislature or otherwise, for the clerks of the peace whose fees are to form part of the officers of justice fee fund;

Whereas under and by virtue of the provisions of article 1154 of the Revised Statutes, 1909, the Lieutenant-Governor in Council may modify, from time to time, the tariff contained in article 1151 of the Revised Statutes, 1909;

Whereas under and by virtue of the provisions of article 3550 of the Revised Statutes, 1909, the Lieutenant-Governor may, by order in council, impose such tax or duty as he sees fit on judicial proceedings in all the districts, the district of Pontiac excepted, and especially upon any proceedings before a justice of the peace, officer of justice or magistrate, or before any tribunal whatever;

## THEREFORE, IT IS ORDERED:

1. That the tariff of the clerks of the peace, presently in force, be repealed from and after the 15th of March, 1921, and replaced by the tariff annexed hereto;

2. That the items enumerated under paragraph "a" of article 1151 be likewise repealed, from and after the 15th of March, 1921, and replaced by items 1 to 30, inclusive, of the tariff hereunto annexed.

(Certified),

A. MORISSET,  
*Clerk of the Executive Council.*

TARIFF OF CLERKS OF THE PEACE AND OF CLERKS OF JUSTICES  
OF THE PEACE

No.	PROCEEDING	Fees	Tax.
		\$ cts.	\$ cts.
1	For every information or complaint, affidavit or deposition. . . .	1 00	
2	For every warrant to apprehend or search warrant. . . . .	1 00	0 10
3	For every summons. . . . .	1 00	0 10
4	For every certified copy of a warrant or summons. . . . .	0 20	
5	For attendance at the return of any warrant, summons, order or rule. . . . .	0 50	
6	For the preparation of every warrant of remand. . . . .	0 50	
7	For the preparation of a warrant ordering the sheriff to bring a prisoner before the judge or the Court. . . . .	0 50	
8	For every attendance before the Court, the judge or the magis- trate, every time a case is called for appearance or for any hearing, adjournment or other reason whatever. (But such fee must not be charged more than once in one day). . . . .	0 50	
9	For every application for provisional discharge. . . . .	10 00	
10	For every petition or application in the nature of petition. . . .	1 00	
11	For drawing up every recognizance. . . . .	1 00	
12	For drawing up the discharge of defendant or prisoner on the recognizance being entered into or on payment of a penalty . . . . .	0 50	
13	For every original subpoena. . . . .	0 30	
14	For every certified copy thereof. . . . .	0 20	
15	For the swearing of every witness. . . . .	0 20	
16	For recording the final judgment, conviction, certificate of dis- missal or acquittal. . . . .	0 50	0 50
17	For every order or rule not otherwise provided for. . . . .	0 50	
18	For every copy of any final judgment, conviction, certificate of discharge or acquittal, order or rule, document, writing or proceeding, not including the certificate, for every 100 words. . . . .	0 12	
19	For certifying every copy of any document, writing or pro- ceeding, and for any other certificate not otherwise provided for. . . . .	0 50	
20	For every distress warrant. . . . .	1 00	0 20
21	For every special warrant or commitment of imprisonment for non-payment of any penalty. . . . .	1 00	0 20

No	PROCEEDING	Fees	Tax.
		\$ cts.	\$ cts.
22	For drawing up and preparing a record of conviction and making the return to a writ of <i>certiorari</i> , to be paid by the party at whose instance such writ is issued and before the same shall be returned or filed.....	4 00	
23	For drawing up and preparing the record of an appeal to the Court of King's Bench or other Court, to be paid by the party appellant before the same shall be transmitted.....	4 00	
24	For every registration of default against a witness or an accused.	0 50	
25	For certifying to the forfeiture of a recognizance, and forwarding the latter to the prothonotary of the Superior Court...	1 00	
26	To the stenographer, for taking evidence by stenography:		
	When notes are transcribed, per 100 words.....	0 24	
	When notes are not transcribed, per 100 words.....	0 12	
	For each copy, per 100 words.....	0 2½	
27	In every case where an interpreter is required there shall be charged a fee, per hour, of.....	1 00	
	(Such fee shall be reduced to a minimum of 50 c for each half hour or fraction thereof).		
28	For preparing any statement of costs or of record.....	0 20	
29	For certifying any bill of costs, when required.....	0 20	
30	For every search, for one year.....	0 20	
	For every additional year.....	0 10	
31	For receiving and examining the return that every justice of the peace must make in accordance with the provisions of article 3371 R. S., 1909.....	0 50	
	(This fee is payable by the Government)		
32	For the filing of every declaration relating to newspapers and other publications as provided by articles 3699 and following, R. S., 1909.....	1 00	

EXECUTIVE COUNCIL CHAMBER

---

No. 178.

QUEBEC, 9th of February, 1920

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

Whereas the transfer bonus for timber limits is presently \$4.00 per mile or fraction of a mile; and whereas it is expedient to increase it:

THEREFORE, IT IS ORDERED that the transfer bonus for timber limits be increased from \$4.00 to \$20.00 per mile or fraction of a mile.

(Certified),

A. MORISSET,  
*Clerk of the Executive Council.*

---

## EXECUTIVE COUNCIL CHAMBER

No. 917.

QUEBEC, 20th of May, 1920.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

---

RESPECTING THE TARIFF OF FEES OF LAND SURVEYORS

---

Whereas under article 5130 of the Revised Statutes, 1909, respecting the law of surveys and Land Surveyors, the Corporation of Land Surveyors has the right to fix the fees of Land Surveyors for professional services;

Whereas to that end the said corporation has prepared a draft tariff, the copy whereof is annexed to the aforesaid report, adopted by its board of directors and approved at a general meeting of Land Surveyors held on the 18th of April, 1918;

Whereas under article 5175 of the said Revised Statutes, 1909, the tariff prepared by the Land Surveyors must be approved by the Lieutenant-Governor in Council before having any force or effect;

Therefore, it is ordered that the tariff prepared by the Corporation of Land Surveyors be approved according to its form and tenor, to take effect on the first of May instant.

(Certified).

A. MORISSET,  
*Clerk of the Executive Council.*

---

## CORPORATION OF QUEBEC LAND SURVEYORS

---

### TARIFF OF FEES THAT THE MEMBERS OF THE CORPORATION MAY CHARGE FOR PROFESSIONAL SERVICES.

*Adopted by the board of directors and approved at a general meeting  
held on the 17th of April, 1918.*

---

1. Land surveyors have a right to charge a fee of fifteen dollars for each day or fraction of day of professional services or of travel. The regular day's work being six hours.

2. Besides the fee for a regular day's work land surveyors have a right to charge three dollars for each additional hour employed in the practice of their profession.

3. Besides the fee for their professional duties, land surveyors have a right to charge all sums paid for travelling and board expenses at the current rate in the locality where they have been working.

4. For each boundary mark a land surveyor establishes according to law, he has a right to charge one dollar and a half besides the fee stipulated in paragraph 1.

5. For each *procès-verbal* a land surveyor draws according to law, he has a right to charge seven dollars one-half, when the *procès-verbal* does not contain over five hundred words.

6. When a *procès-verbal* contains over five hundred words, and takes the form of a report, a land surveyor has the right to charge seven dollars and one-half for the first five hundred words and one dollar and one-half for each additional hundred words.

7. For a copy of a *procès-verbal*, report or any other document

not containing over five hundred words, a land surveyor has a right to charge three dollars.

8. For a copy of a *procès-verbal*, report or any other document containing over five hundred words, a land surveyor has a right to charge three dollars for the first five hundred words and one dollar for each additional hundred words.

9. For making a plan or a copy of a plan, the land surveyor has a right to charge, for the time employed in making such plan or copy of a plan, fifteen dollars per day.

10. For a certificate stating that a settler has fulfilled the conditions required by laws and regulations respecting the sale of public lands, the land surveyor is entitled to the sum of three dollars besides his travelling expenses in connection with the same.

11. Land surveyors acting as arbitrators shall have a right to charge fifteen dollars per sitting.

J. E. SIROIS,  
President.

ARTHUR SMITH,  
Secretary.

---

EXECUTIVE COUNCIL CHAMBER

---

No. 1955.

QUEBEC, 6th of October, 1920.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

It is ordered that the order in council No. 1642 of the 25th of August, 1920, be repealed, and that the provisions then in force of orders in council No. 295 of the 26th of April, 1910, and No. 765 of the 13th of June, 1918, be again put in force according to the tenor thereof before the passing of the said order in council No. 1642 of the 25th of August, 1920.

(Certified),

A. MORISSET,  
*Clerk of the Executive Council.*

---



## EXECUTIVE COUNCIL CHAMBER

No. 1956.

QUEBEC, 6th of October, 1920.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

It is ordered:

1. That all wood cut on Crown Lands, dating from the beginning of the forest license year 1920-21, be subject to the following dues:

## I.—Square, waney or flat timber:

- |  |                      |
|--|----------------------|
| (a) White pine, oak, hickory and walnut.....   | \$0.15 per cubic ft. |
| (b) Red pine, elm, ash, cedar, bass-wood, birch, maple tamarac.....                      | 0.12      “          |
| (c) Spruce, balsam, grey pine or banksian pine, hemlock, white birch, aspen, poplar..... | 0.10      “          |

## II.—Saw logs and boom and dimension timber in the raw state:

- |  |                       |
|--|-----------------------|
| (a) White pine, oak, hickory, walnut.....  | \$5.00 per 1000 f.b.m |
| (b) Red pine, elm, ash, basswood, birch, maple, tamarac..  | 3.50      “           |
| (c) Spruce, balsam, grey pine or banksian pine, hemlock, white birch, aspen, poplar and cedar..... | 2.70      “           |

## III.—Poles more than 18 feet in length, not exceeding 10 inches in diameter at the small end,—

- |                                     |             |
|-------------------------------------|-------------|
| (a) 30 feet and less in length..... | \$0.75 each |
| (b) 30 to 40 feet in length.....    | 1.50      “ |
| (c) 40 to 50 feet in length.....    | 3.00      “ |
| (d) 50 feet and over in length..... | 6.00      “ |

## IV.—Railway ties or sleepers not exceeding 9 feet in length.... 0.15      “

V.—All other wood goods.....15% *ad valorem*

2. That the Orders in Council No. 295 of the 26th of April, 1920, and No. 765 of the 13th of June, 1918, be amended accordingly.

3. That the present Order in Council shall in no wise affect the recourse of the Government respecting the collection of unpaid dues, due under the said Orders in Council No. 295 of the 26th of April, 1910, and No. 765 of the 13th of June, 1918, which dues shall continue to be collected as if the present Order in Council had not been adopted.

(Certified),

A. MORISSET,  
Clerk of the Executive Council.

## EXECUTIVE COUNCIL CHAMBER

No. 61.

QUEBEC, 12th of January, 1921.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING THE ALTERATION IN THE LIMIT FOR THE  
DIAMETER OF TIMBER CUT ON CROWN LANDS

It is ordered that the Order in Council No. 668 of the 15th of April, 1920, amending article 12 of the regulations of the department of Lands and Forests, be repealed, and that the said article be replaced by the following:

"Licensees are forbidden to cut on Crown lands trees less than 12 inches in diameter measured at the stump, two feet above the ground. However, they may cut spruce down to 10 inches, paper birch, balsam, fir, poplar and aspen down to 7 inches, measured as aforesaid. Nevertheless the Lieutenant-Governor in Council may order that the present regulations be amended for the places indicated by the Forestry Service, after inspection."

It is further ordered that the provisions of the Orders in Council No. 2008 of the 13th of October, 1920, and No. 2237, of the 25th of November, 1920, to the effect of charging an additional sum of 50 cents per thousand feet, board measure, for all wood cut in exception to regulation No. 12, be repealed, owing to the difficulty of establishing the quantities of wood thus cut in exception, and also owing to the collapse of the lumber market, on account of the world crisis.

(Certified),

A. MORISSET,  
*Clerk of the Executive Council.*

## EXECUTIVE COUNCIL CHAMBER

No. 1781.

QUEBEC, 15th of September, 1920.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

RESPECTING THE COLLECTION OF A ROYALTY UPON  
ALL FURS TAKEN UPON THE TERRITORY OF THE  
PROVINCE

It is ordered that the royalty enacted by paragraph 6 of article 2347 of the Revised Statutes, 1909, be fixed as hereunder, on each skin of a fur-bearing animal taken or killed in the Province, subject to the exception of paragraph 7 of the said article in favour of the resident hunter who personally hunts or sells his furs to a person domiciled in the Province.

On each badger skin.....	\$ 0.25
“ “ beaver skin.....	1.00
“ “ raccoon skin.....	.15
“ “ carcajou skin.....	.40
“ “ squirrel skin per 100.....	.25
“ “ ermine skin.....	.05
“ “ otter skin.....	1.00
“ “ rabbit skin, per 100.....	.05
“ “ wolf skin.....	.70
“ “ lynx skin.....	.50
“ “ marten skin.....	.75
“ “ skunk skin.....	.20
“ “ bear skin.....	.60
“ “ white bear skin.....	.70
“ “ pekan skin.....	1.50
“ “ black fox skin.....	15.00
“ “ blue fox skin.....	1.75
“ “ crossed fox skin.....	1.55
“ “ silver fox skin.....	10.00
“ “ white fox skin.....	1.75
“ “ red fox skin.....	1.00
“ “ bastard fox skin.....	.50
“ “ muskrat skin.....	0.5
“ “ mink skin.....	.25
“ “ seal skin.....	.25
“ “ moose skin.....	.25
“ “ red deer skin.....	.10
“ “ caribou skin.....	.10

That moreover, on each fur-pelt or skin not mentioned above

there shall be collected a royalty representing 5% of its commercial value.

That officers charged with the stamping of skins be strictly forbidden under penalty of the fine prescribed by article 2358a of said Revised Statutes, 1909, to hand over the seal used by them to stamp the skins, to any person whomsoever, under any pretext, without previously obtaining a written authorization from the Minister of Colonization, Mines and Fisheries.

That the Order in Council No. 1408 of the 5th of September, 1919, on the same subject, be revoked.

(Certified),

A. MORISSET,  
*Clerk of the Executive Council.*

---

### EXECUTIVE COUNCIL CHAMBER

---

No. 251.

QUEBEC, April 11th, 1921.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

### CONCERNING THE MOOSE-HUNTING SEASON

Whereas in virtue of an Order in Council, number 589, passed on the 6th of April, 1920, the moose-hunting season opens on the 20th of September and closes on the 31st of December, except in the counties of Pontiac and Temiscaming, where the hunting of moose is permitted from the 10th of September until the 31st of December inclusively;

Whereas numerous representations have been made by clubs and individuals, lessees of hunting and fishing preserves, that the said date of the 20th of September does not suit that part of the province situated to the North of the St. Lawrence river, where the climate does not permit the hunting of moose during a large part of the months of October and November;

THEREFORE, IT IS ORDERED:

That the said order in council, number 589, be amended as follows:

In all that part of the province situated to the North of the St.

Lawrence river the hunting season for moose shall open on the tenth of September and close on the thirty-first of December, and in the counties situated to the South of the St Lawrence River, the hunting of moose shall only open on the twentieth of September, and close on the thirty-first of December, inclusive.

(Certified),

(Signed) A. MORISSET,  
*Clerk of the Executive Council.*

---

### EXECUTIVE COUNCIL CHAMBER

---

No. 999.

QUEBEC, 4th of June, 1920.

PRESENT: THE LIEUTENANT-GOVERNOR IN COUNCIL.

Whereas it is expedient to fix the fees that the persons or municipal councils must pay in connection with any act to be done or any document to be issued or certified by the Minister of Municipal Affairs, by the Department of Municipal Affairs, or by an officer of such Department, as well as by the Lieutenant-Governor in Council or by any person in relation with municipal affairs, the whole in conformity with the provisions of article 2520 of the Revised Statutes, 1909, as enacted by the act 9 George V, chapter 59, section 31.

Therefore, it is ordered:

*a.* That any orders in council incompatible with the present be annulled;

*b.* That the hereinunder dues and fees be exigible and payable, in advance, to wit:

1. Upon examination and taking into consideration of any application for permission or authorization required by law, either from the Minister of Municipal Affairs or the Lieutenant-Governor in Council, other than those hereinafter mentioned... \$10.00
2. Upon examination and taking into consideration of any by-law submitted in conformity with any provision of the law to the Lieutenant-Governor in Council, other than a loan by-law..... 10.00

3. Upon examination and taking into consideration of any municipal loan by-law submitted, in virtue of any provision of law, for the consideration of the Lieutenant-Governor in Council:

If the loan be less than \$10,000.....	10.00
If it be 10,000, or more, but less than \$25,000.....	25.00
If it be \$25,000 or more, but less than \$50,000.....	50.00
If it be \$50,000 or more, but less than \$75,000.....	75.00
If it be \$75,000 or more, but less than \$100,000.....	100.00
If it be \$100,000 or more, but less than \$125,000.....	112.50
If it be \$125,000 or more, but less than \$150,000.....	125.00
If it be \$150,000 or more, but less than \$175,000.....	137.50
If it be \$175,000 or more, but less than \$200,000.....	150.00
If it be \$200,000 or more, but less than \$225,000.....	162.50
If it be \$225,000 or more, but less than \$250,000.....	175.00
If it be \$250,000 or more, but less than \$275,000.....	187.50
If it be \$275,000 or more, but less than \$300,000.....	200.00
If it be \$300,000 or more, but less than \$325,000.....	212.50
If it be \$325,000 or more, but less than \$350,000.....	225.00
If it be \$350,000 or more, but less than \$375,000.....	237.50
If it be \$375,000 or more.....	250.00

4. Upon examination and taking into consideration of any application for annexation of part of a municipality to another municipality, there shall be exigible and payable a fee of..... 25.00
5. Upon examination and taking into consideration of any application for permission to open one or more streets of a width less than that fixed by law.. 10.00
6. Upon examination and taking into consideration of any application for permission made by a municipal corporation to publish, in one language only, its public notices, by-laws or orders of the corporation..... 10.00
7. Upon examination and taking into consideration of any application for appointment to fill a vacancy in a municipal council..... 10.00
8. Upon examination and taking into consideration of any application for the appointment of valuers..... 10.00
9. Upon examination and taking into consideration of any application for any change in the name of a municipality..... 25.00

10. Upon affixing the certificate of the Minister of Municipal Affairs upon every bond, provided by article 5903c of the Revised Statutes of Quebec, 1909, as enacted by the act 8 Geo. V, chapter 60, section 16, there shall be payable, in advance, the sum of five cents per hundred dollars of capital with a minimum of \$25.00 and a maximum of \$500.00.
11. Upon examination and taking into consideration of any application for the erection of any new municipality..... 50.00

(Certified),

A. MORISSET,  
*Clerk of the Executive Council.*

---

