

# ORDERS IN COUNCIL

HAVING FORCE OF LAW

IN THE

PROVINCE OF QUEBEC



THE HONOURABLE

**PIERRE-EVARISTE LEBLANC**

LIEUTENANT-GOVERNOR

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QUEBEC

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ANNO DOMINI 1916



# ORDERS IN COUNCIL



## EXECUTIVE COUNCIL CHAMBER

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QUEBEC, 6TH MARCH, 1915.

PRESENT: The LIEUTENANT-GOVERNOR in Council.

No. 177.

It is ordered that article 17 of the regulations enacted in virtue of article 3866j (4 Geo. V, ch. 42), of the Quebec Stationary Engineers' Act, be amended by adding thereto, at the end of said article, the following clauses:

“Candidates for a fourth class certificate not possessing the necessary qualifications to pass their examinations to the satisfaction of the examiners shall be classified as stokers, and shall in no case act as Stationary Engineer in charge of motive power except under the direction and control of an engineer holding the certificate required by law and the regulations. However, in case of emergency, the examiners may authorize any such candidate to take charge of a boiler for a period not exceeding 30 days.

"A stoker's certificate may also be granted by the Examiners to any person capable of answering satisfactorily the questions put to him, either by one of the Examiners or by one of the Provincial Boiler Inspectors designated by the chief engineer; in the latter case report must be made to the Examiners, who alone are authorized to issue certificates.

"The certificates thus issued shall only be good for one year, and shall entitle the holder thereof to take charge of a steam boiler not exceeding 100 horse power.

"The fees shall be the same as for a fourth class engineer's certificate, that is to say, \$2.00 for the first examination, and 50 cents for the yearly renewal thereof."

*(Certified)*

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

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EXECUTIVE COUNCIL CHAMBER.

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QUEBEC, 22ND APRIL, 1915.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

No. 394.

It is ordered that the Minister of Colonization, Mines and Fisheries be authorized to issue special permits to keep at all seasons living furbearing animals for purposes of propagation, and, if he thinks proper, to prohibit the sale of such animals outside of the Province or to persons not residing in the Province, save in the case of those born in captivity; and the sale thereof shall be allowed only upon the production of a solemn declaration establishing, to the satisfaction of the Honourable Minister, that the animal or animals offered for sale are the progeny of animals captured or raised and kept in captivity upon a farm; that he be further authorized to enact, as a condition of the aforesaid permit, that in the first thirty days of the close season, according to the species of animals, the proprietor of every farm shall be bound to send in to his depart-

ment a complete return, in writing, of each species of fur-bearing animal he has had in his possession during the year, distinguishing those he had already from those he may have bought or which were born to him in captivity, as well as all those he may have sold, during such season, with the names and addresses of the purchasers.

*(Certified)*

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

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EXECUTIVE COUNCIL CHAMBER.

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QUEBEC, 28TH APRIL, 1915.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

No. 411.

Whereas the hotel inspectors appointed under the Act 4 George V, chapter 41, by order in council bearing date the 3rd October, 1914, have already inspected a considerable number of hotels and boarding houses;

Whereas, from and after the 1st May, 1915, the issuing of hotel and boarding-house licenses by the collectors of provincial revenue shall be subject to the production of certificates of inspection signed by the hotel inspectors;

It is ordered that such certificates be not delivered by the inspectors except upon the payment, before delivery, of the sum of \$2.00 for boarding-houses and temperance hotels, and the sum of \$3.00 for hotels licensed to sell intoxicating liquors, with retroactive effect from the date of the appointment of inspectors to the coming into force of the aforesaid act.

*(Certified)*

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

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EXECUTIVE COUNCIL CHAMBER.

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QUEBEC, 6TH MAY, 1915.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

No. 454.

It is ordered that in and by virtue of article 2356 of the Revised Statutes, 1909, it be forbidden at any time to hunt, kill or take pheasants, or to disturb, damage, gather or take the eggs thereof from the first day of May, 1915, to the first day of September, 1920.

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

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EXECUTIVE COUNCIL CHAMBER.

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QUEBEC, 19TH MAY, 1915.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

No. 524.

REGULATIONS RESPECTING THE SANITARY CONDITIONS AND SAFETY OF WORKMEN IN MINES.

It is ordered that in and by virtue of article 2214 of the Revised Statutes, 1909, it be ruled and enacted as follows :

*Re: Scaling of Workings.* The walls, roofs of shafts, levels, stopes, tunnels, raises and other underground parts of mine workings, the sides and walls of open-cast pits, quarries, sand and clay pits, and all other workings of mines and prospects, must be scaled and freed of loose or fissured rocks and stones, so as to ensure the safety of the workmen.

*Re: Explosives.* All firing of blasts in the course of shaft sinking shall be done by means of electric current.

A charge of explosives, whether it is a missed hole or a charge which has not been fired, shall not be withdrawn.

(Certified) A. MORRISSET,  
*Clerk of the Executive Council.*

EXECUTIVE COUNCIL CHAMBER.

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QUEBEC, 25TH AUGUST, 1915.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

It is ordered that order in council No. 874 of the 11th July, 1913, concerning the act respecting trust companies, be amended as follows : section II, clause A, paragraph 1, is amended to read as follows : " When a company's assets do not exceed \$200,000.00, the fee shall be \$50.00."

(Signed) W. LEARMONTH,  
*Clerk of the Executive Council*  
*By interim.*

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EXECUTIVE COUNCIL CHAMBER.

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QUEBEC, 10TH SEPTEMBER, 1915.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

## AMENDMENTS MADE TO THE TARIFF OF THE SUPERIOR COURT.

It is ordered that, from the first of October 1915, tariff B of the Prothonotaries of the Superior Court, as enacted by the order in council of the 27th March, 1902, and amended by the orders in council of the 27th June, 1902; 22nd November, 1911; and 28th December, 1914, be further amended:

1. By striking out the provisions concerning the classification of actions, and articles 1 to 78 inclusive, and 133 to 138 inclusive, and replacing them by articles 1 to 66 inclusive, as hereinafter enacted;

2. By striking out articles 115 to 132*q* inclusive, as enacted by the said order in council of the 28th December, 1914, and replacing them by the articles 115 to 153 inclusive, as hereinafter enacted.

(Certified)

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

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TARIFF OF THE SUPERIOR COURT RESPECTING CONTENTIOUS  
PROCEEDINGS

## SECTION I

*Classes of Actions*ARTICLE 1.—*First class:*

1. Actions in which the amount or the value in dispute is \$1,000 or over.
2. Proceedings by way of injunction, *quo warranto*, *mandamus*, prohibition, annulment of letters patent (*scire facias*), and other analogous proceedings, for which provision is made by articles 978 to 1010 C. C. P., and actions to set aside a will, in separation of bed and board, in declaration of paternity, in opposition to marriage, actions of boundary, possessory and petitory actions, saving however proceedings for interlocutory or interim injunctions, which are of the same class as the action in which they are taken.

ARTICLE 2.—*Second Class:*

1. Actions in which the amount or the value in dispute is \$400 or over.
2. Actions in separation of property, for removal from tutorship or curatorship, in partition, and all personal, real and mixed actions which are not included in the first class, and not otherwise provided for.
3. Contestations of municipal elections, and actions to revise or set aside municipal by-laws or other municipal proceedings in cities and towns.

ARTICLE 3.—*Third Class:* ①

1. Actions in which the amount or value in dispute is \$200 or over.
2. Contestations of municipal elections, and actions to revise or set aside municipal by-laws or other municipal proceedings, elsewhere than in cities and towns.

ARTICLE 4.—*Fourth Class:* ①

Actions in which the amount or the value in dispute is \$100 and less than \$200.

## SECTION II.

## ARTICLE 5:

For any proceeding not specially provided for by the tariff, the fees and taxes are those fixed for analogous proceedings.

## ARTICLE 6:

In actions to account, the class of action is determined by the amount claimed as balance of account.

## ARTICLE 7:

In any action for eviction under the law governing lessors and lessees, in which there is no claim for rent or damages, the class of action is determined by the annual rental.

## ARTICLE 8:

In actions by way of *capias ad respondendum* for sums of less than \$100, the fees and taxes are the same as in fourth class actions.

## ARTICLE 9:

In hypothecary actions or actions for seignorial dues, or for registration of a workman's privilege, the amount claimed determines the class of action.

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① Amended by order in council of the 21st October, 1915.



## ARTICLE 10:

On a petition under articles 7321 and following of the Revised Statutes, 1909. respecting accidents happening by reason of or in the course of work; when judgment is rendered awarding compensation, the fee upon such petition is that upon the return of a writ of summons according to the amount awarded or the capital amount upon which the rent is based.

## ARTICLE 11:

The fees and taxes upon an incidental demand, intervention, opposition for payment opposition by a third party, or contestation of a garnishee's declaration, are according to the amount claimed by the proceeding in question; upon an opposition to withdraw, they are according to the value of the property sought to be withdrawn; and upon an opposition to annul, they are according to the class of action in which it is made. And if, in such proceedings, the amount or the value of the thing in dispute is less than \$100, then the fees and taxes are those of a non-appealable action for a like amount in the Circuit Court.

## ARTICLE 12:

No tax shall be paid upon any *alias* or *pluries* writ of any kind whatsoever.

N. B.—For the fees of the crier in districts where such officer is paid by the prothonotary, see art. 66.

## SECTION III.

Art.	PROCEEDINGS	FEE	TAX	
			Quebec, Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.
13	On an affidavit for the issue of a writ of summons.....	50	50	30
14	On every amendment to a proceeding.....	20	30	20
15	On every writ of summons, attachment for rent, attachment in revendication, conservatory attachment, attachment before judgment, <i>capias</i> , injunction, <i>quo warranto</i> , prohibition, <i>mandamus</i> , <i>scire facias</i> .			
	1st Class.....	2 00	3 00	2 00
	2nd Class.....	2 00	2 00	2 00
	3rd Class.....	1 50	1 50	1 00
	4th Class.....	1 00	1 00	1 00
16	On every copy of the above mentioned writs.....	30		
17	On the return of the above mentioned writs:			
	1st Class.....	7 00		
	2nd Class.....	6 00		
	3rd Class.....	5 00		
	4th Class.....	4 00		
	In actions for \$10,000.00 and over.....	8 00		
	In actions for \$50,000 and over.....	10 00		

Art.	PROCEEDINGS	FEE	TAX	
			Quebec, Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.
18	On every certificate of default to appear or plead, or official certificate of any kind.	30	20	10
19	On the filing of an incidental demand, cross demand, intervention, impropation, recusation, disavowal, petition in revocation of judgment, contestation of opposition by a third party, contestation of account, contestation of garnishee's declaration:			
	1st Class.....	6 00	2 00	1 00
	2nd Class.....	5 00	2 00	1 00
	3rd Class.....	4 00	1 00	80
	4th Class.....	3 00	1 00	50
	In proceedings in such cases for \$10,000 and over.....	8 00	2 00	1 00
	In proceedings in such cases for \$50,000.00 and over.....	12 00	3 00	1 00
20	Proceedings in contestations of municipal elections or to set aside municipal by-laws or other municipal proceedings, in cities and towns:			
	1. On the petition or writ.....	2 00	4 00	2 00
	2. On the subsequent proceedings, the same fees and taxes as in a 2nd class action.			
21	On the same proceedings as those mentioned in article 20, elsewhere than in cities and towns:			
	1. On the petition or writ.....	1 00	2 00	1 00
	2. On the subsequent proceedings, the same fees and taxes as in a 4th class action			
22	On a petition for the revision of a list of electors.....	1 00	1 00	50
	On the subsequent proceedings, the same fees and taxes as in a non-appealable action before the Circuit Court.....			
23	Preliminary exceptions:			
	On every motion, dilatory exception, declinatory exception, exception to the form or other preliminary plea to the action.			
	1st Class.....	3 00	2 00	1 50
	2nd Class.....	2 50	1 50	1 00
	3rd Class.....	2 00	1 00	80
	4th Class.....	1 20	80	50

ORDERS IN COUNCIL

XI

SECTION III.—Continued.

Art.	PROCEEDINGS	FEE	TAX	
			Quebec Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.
24	On a defence, reply to or contestation of any action, and on all the proceedings mentioned in article 19:			
	1st Class.....	7 00	3 00	2 00
	2nd Class.....	6 00	2 00	1 00
	3rd Class.....	5 00	1 00	80
	4th Class.....	3 00	1 00	50
	In actions for \$10,000.00 and over.....	8 00	4 00	2 50
	In actions for \$50,000.00 and over.....	9 00	6 00	3 00
	When the fees and taxes are paid on an inscription in law, nothing shall be charged on the defence.			
	If the defendants or contestants plead separately, each one shall pay the same fees and taxes..			
25	On every consent to (confession of) judgment :			
	1st Class.....	1 00	2 00	1 00
	2nd Class.....	1 00	1 00	80
	3rd Class.....	50	50	50
	4th Class.....	40	40	40
26	Security :..			
	On every security for costs, on <i>capias</i> or otherwise, either by bail-bond, a money deposit or a guarantee policy :			
	1st Class.....	2 00	3 00	2 00
	2nd Class.....	2 00	2 00	1 50
	3rd Class.....	1 50	1 50	80
	4th Class.....	1 00	1 00	40
	In actions for \$10,000.00 and over.....	4 00	4 00	3 00
	In actions for \$50,000.00 and over.....	5 00	5 00	4 00
27	For justification of solvency.....	50		
28	Continuance of suits :			
	1. On the petition :			
	1st Class } .....	1 50	50	30
	2nd Class }			
	3rd Class }			
	4th Class.....	50	50	30
	2. On the answer or contestation :			
	1st Class } .....	1 50	50	30
	2nd Class }			
	3rd Class }			
	4th Class.....	50	50	30
	3. On subsequent proceedings the same fees and taxes as in an <i>ex parte</i> or contested action, as the case may be, and to be determined by the amount in dispute :			

## SECTION III.—Continued.

Art.	PROCEEDINGS	FEE	TAX	
			Quebec Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
	When the demand is made by an action, the fees and taxes shall be the same as in an action, according to the amount in dispute.	\$ cts.	\$ cts.	\$ cts.
29	Peremption of suits : 1. On the certificate of the last proceeding, including search : 1st Class } ..... 2nd Class } ..... 3rd Class } ..... 4th Class } ..... 2. On the motion for peremption : 1st Class } ..... 2nd Class } ..... 3rd Class } ..... 4th Class } .....	50   50  1 00 50	50   20	20   10
30	Inscription : On every inscription (or motion) for judgment on consent to (or confession of) judgment, and on every inscription on the merits in any action, incidental or cross demand, intervention, improbation disavowal, continuance of suit, joint factum (Art. 509, C. C. P.), opposition, opposition by third parties, seizure by garnishment after judgment, declaration by a garnishee, contestation of account, petition in revocation of judgment, vacating sheriff's sales and contestation of the report of distribution: 1. Not contested: 1st Class ..... 2nd Class ..... 3rd Class ..... 4th Class ..... 2. Contested: ..... 1st Class ..... 2nd Class ..... 3rd Class ..... 4th Class ..... 3. In actions for \$10,000.00 and over..... 4. In actions for \$50,000.00 and over..... 5. On every re-inscription.....	3 00 2 50 1 50 1 00  4 00 3 00 2 50 1 00 5 00 6 00 1 00	2 00 1 50 1 50 1 00  2 00 2 00 1 50 1 00 3 00 4 00	1 00 80 50 40  1 50 1 00 80 50 2 00 2 00
31	Interrogatories upon articulated facts, subpoenas, summons for examination of a party, a debtor or opposant, and other proceedings under articles 286, 590, 651, 811, 882 and 883 C. C. P.: 1. On the original.....	40		

## ORDERS IN COUNCIL

XIII

## SECTION III.—Continued.

Art.	PROCEEDINGS	FEE	TAX	
			Quebec Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.
	2. On each copy.....	10		
	3. If the document contains over 200 words, 10 cents for each additional 100 words.			
	4. On answers to interrogatories upon articulated facts:			
	1st Class	1 00		
	2nd Class			
	3rd Class			
	4th Class.....	50		
32	Rogatory commissions or other commissions or orders for the examination of witnesses:			
	1. On the copy of the judgment ordering the issuing of the commission or on the copy of the order.....	50	60	
	2. On the commission and the preparation of the record.....	2 00	4 00	3 00
	3. On the return of the commission.....	1 00		
	4. On the receipt of a commission or of the record from another court or another district for the examination of witnesses.....	1 00		
	5. On the preparation and transmission of any record to another court or another district for examination of witnesses.....	1 00		
33	Deposition and transcription of evidence:			
	1. On every deposition in actions by default or <i>ex-parte</i> and in all non-contested proceedings, if the evidence is not taken by stenography.....	50		
	2. On every deposition in contested actions or proceedings, if the evidence is not taken by stenography, for every 100 words.....	10		
	3. If the evidence is taken by stenography:			
	For the stenographic notes, per 100 words	10		
	For transcription, per 100 words.....	10		
	And for every additional copy of a deposition, per 100 words.....	02 1/2		
34	On every list of exhibits.....	10	10	
35	Trial by jury:			
	1. On the motion to fix the date for choosing the jury and for the trial (this fee includes the fee on the motion and on the inscription).....	5 00	2 00	1 50

Art.	PROCEEDINGS	FEE	TAX	
			Quebec Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.
	In actions for \$10,000.00 and over .....	6 00	3 00	2 00
	In actions for \$50,000.00 and over .....	8 00	4 00	2 00
	2. For the formation of the special list and striking the panel and attendance when the jury is selected .....	5 00		
	3. For the writ of <i>Venire Facias</i> and attendance at the trial .....	7 00	3 00	2 00
	4. For swearing the jurors and recording the verdict .....	3 00	2 00	1 00
	5. When the case is referred to the Court of Review, for receiving and preparing the record .....	5 00		
36	Rule Decision: On a question of law upon facts admitted (Art. 509, C. C. P.) On such proceedings, the fees and taxes are determined by the amount in dis- pute, and are payable one half by the plaintiff and one half by the defendant: 1. On the joint factum or case, payable one half by each party .....	6 00	4 00	2 00
	2. On the inscription for hearing ( <i>See art.</i> 30).			
37	Accounting: In addition to the fees on the action: 1. On the filing of the account and vouchers under a judgment ordering the same .....	2 00		
	2. On a contestation of account, the same fees and taxes as on an incidental de- mand (Art. 19) according to the amount claimed in the contestation.			
	3. On the explanations in support of the account or answer to the contestation, the same fees and taxes as on a defence (Art. 24).			
38	Surrender: 1. On the surrender .....	1 00		
	2. On the petition or motion for the ap- pointment of the curator: 1st Class } 2nd Class } ..... 3rd Class } 4th Class .....	2 00 1.00		
39	Writ of execution, <i>Venditioni Exponas</i> , seiz- ure by garnishment after judgment, possession and coercive imprisonment.			

## SECTION III.—Continued.

Art.	PROCEEDINGS	FEE	TAX	
			Quebec Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.
	The fees and taxes on such proceedings are determined by the class of the action in which the writ is issued. If, however, the writ is issued for a smaller amount, then the fees and taxes are those of the class of action corresponding to the amount for which the writ is issued:			
	1. On the writ when issued:			
	1st Class.....	1 50	1 50	1 00
	2nd Class.....	1 00	1 00	80
	3rd Class.....	1 00	80	40
	4th Class.....	1 00	70	30
	2. On the return of the writ for seizure by garnishment.....	1 00		
	3. On every declaration of a garnishee stating that he owes or holds property belonging to the party against whom the writ is issued, payable by the seizing party.....	50		
	4. On the contestation of a writ of seizure by garnishment, the same fees and taxes as for a defence (Art. 24).			
	5. On the contestation of the garnishee's declaration, the same fees and taxes as for an incidental demand (art. 19) according to the amount claimed from the garnishee..			
	6. On the reply to the contestation of the garnishee's declaration, the same fees and taxes as for a defence (Art. 24). ①			
	N.B.—A duty or commission of 1 per cent on the moneys levied by execution, shall be kept by the sheriff or bailiff effecting the seizure, who shall account for the same for the benefit of the building and jury fund according to law. ②			
40	Oppositions: (See general rules, Art. 12).			
	1. On every opposition to annul, to withdraw, to secure charges, for payment or on sub-oppositions, and on every claim:			
	1st Class.....	2 00	2 00	1 00
	2nd Class.....	1 50	1 50	60

① Paragraph 7 added by order in council No. 459 of 26th April, 1916.

② Replaced by order in council No. 459 of 26th April, 1916.

SECTION III.—*Continued.*

Art.	PROCEEDINGS	FEE	TAX	
			Quebec Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.
	3rd Class .....	1 00	1 50	40
	4th Class .....	1 00	1 00	30
	2. On the contestation of every opposition, the same fees and taxes as on a defence (Art. 24) .....			
41	Resale for false bidding: The fees and taxes on the proceedings are determined according to the amount of adjudication. On the petition and on the reply to or contestation of the petition:			
	1st Class } .....	2 00	1 00	50
	2nd Class }			
	3rd Class }			
	4th Class .....	50	50	30
42	Vacating Sheriff's sales: On this proceeding the fees and taxes are determined by the amount due by the purchaser.			
	1. On the petition:			
	1st Class .....	4 00	4 00	2 00
	2nd Class .....	3 50	3 50	1 70
	3rd Class .....	3 00	3 00	1 50
	4th Class .....	2 00	2 00	1 00
	2. On the reply or contestation, the same fees and taxes as for a defence (Art. 24).			
43	Collocation and distribution of moneys levied on execution.			
	1. For drawing up the order of distribution when the amount to be distributed is \$10,000.00 or under .....	10 00		
	For drawing up the judgment .....	8 00		
	2. When the amount to be distributed is over \$10,000.00 .....	15 00		
	3. When it is over \$50,000.00 .....	25 00		
	4. When it is over \$100,000.00 .....	50 00		
	5. On every collocation in the order of distribution .....	2 00		
	6. On a motion for homologation, including the rule .....	1 00	1 00	
	7. On the homologation of the order .....	1 00	1 00	
	8. On the contestation of the order or of a collocation the fees and taxes are determined by the amount contested::			
	1st Class .....	4 00	4 00	1 50
	2nd Class .....	3 50	3 50	1 00
	3rd Class .....	2 50	2 50	80
	4th Class .....	2 00	2 00	50



ORDERS IN COUNCIL

XVII

SECTION. III.—Continued.

Art.	PROCEEDINGS	FEE	TAX	
			Quebec Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.
	9. On the answer to the contestation, the fees and taxes are the same as for a defence (Art. 24)			
	N.B.—On every judgment of distribution or order for the payment of the money levied or for the distribution of moneys subject to an order of the court, a tax of 1% on the amount allowed each of the parties shall be kept back by the officer or person receiving the order to pay such moneys. ①			
44	Injunction, <i>Quo Warranto</i> , <i>Mandamus</i> , prohibition, annulment of letters patent ( <i>Scire Facias</i> ), and all proceedings under articles 978 to 1010 C. C. P.			
	1. On the petition or information.....	2 00	6 00	4 00
	2. On the affidavit.....	50	50	
	3. On the writ and subsequent proceedings, the same fees and taxes as for a 1st class action, except as regards the interlocutory injunction, which belongs to the same class as the action in which it is applied for.			
	4. On the answer to the petition preliminary to the issue of the writ and on the reply to the petition for an interlocutory or interim injunction.....	1 00	1 00	
	5. If the amount in dispute is \$10,000.00 or over, the tariff of additional classes shall be applied.			
45	Petition of right: The fees and taxes on proceedings in such cases in accordance with the amount in dispute. On the petition, the fees and taxes mentioned in article 19. On the contestation, the fees and taxes mentioned in article 24. If a writ is issued, the fees on a writ (Art. 15), are payable in addition to the fees and taxes on the petition, but no charge shall be made on the return.			

① Repealed by order in council No. 459 of 26th April, 1916; and 43a added by the same order in council.

SECTION III.—*Continued.*

Art.	PROCEEDINGS	FEE	TAX	
			Quebec, Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.
46	Hypothecary actions against immoveables whose proprietors are unknown or uncertain. The fees and taxes on such proceedings are determined according to the amount for which the immoveable, the sale whereof is asked for, is liable.			
	1. On the petition:			
	1st Class.....	4 00	4 00	1 50
	2nd Class.....	3 50	3 50	1 00
	3rd Class.....	2 50	2 50	80
	4th Class.....	2 00	2 00	50
	2. On the notice in French and English..	50	50	30
	3. On the contestation and subsequent proceedings, the same fees as on similar proceedings in an action.			
47	Partition and licitation:			
	Besides the fees and taxes in these cases, which are of the second class:			
	1. On the licitation proceedings in case of one immoveable.....	15 00		
	2. On each additional immoveable.....	3 00		
	3. On the sale of the immoveable, when the price of sale is not more than \$1,000.00.....		3 00	2 50
	4. When the price is more than \$1,000.00		7 00	7 00
	5. When the price is more than \$5,000.00		12 00	12 00
	6. When the price is more than \$10,000.00		15 00	15 00
	7. When the price is more than \$25,000.00		20 00	20 00
	8. When the price is more than \$50,000.00		30 00	30 00
	9. When the price is more than \$100,000.		50 00	50 00
	10. For preparation and drafting of deed of sale.....	2 00	4 00	4 00
	11. For each copy of such deed.....	2 00		
	N. B.—When several lots are grouped together and offered for sale, and sold to the same purchaser, they constitute one immoveable and shall be included in the same deed for one fee.			
	N. B.—When several lots are offered for sale and sold separately each separate lot constitutes one immoveable, and as many deeds as there are lots may be made and charged for accordingly; but all the lots sold to one and the same purchaser may, if he demands it, be included in one deed, in which case the fee is the same as it would be if a deed had been made for each lot separately.			

## SECTION III.—Continued.

Art.	PROCEEDINGS	FEE	TAX	
			Quebec, Montreal, Ottawa, Th. Rivers. St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.
48	Confirmation of title: 1. On the production of the title the confirmation whereof is sought, including the notice in both languages, for publication in the <i>Quebec Official Gazette</i> . . . . . 2. On every copy of the notice if not more than 200 words. . . . . And for every additional 100 words. . . . . 3. On the petition in confirmation. . . . . 4. On oppositions, the same fees and taxes as upon oppositions (Art. 40). 5. On contestations, the same fees and taxes as upon a defence (Art. 24). 6. On every re-sale. . . . . 7. For every copy of a judgment or award in confirmation of title containing not more than 800 words. . . . . And for every additional 100 words. . . . . 8. A sum sufficient to pay the cost of registration of the judgment must be paid to the prothonotary for the registration of the judgment, (Art. 1087 C. C. P.), besides \$2.00 for having the same registered.	4 00 50 10 2 00   1 00 1 00 10	4 00      1 00	2 00      1 00
49	Oppositions to marriage: The fees and taxes upon proceedings of this nature are those of a first class action: 1. Upon the opposition. . . . . 2. Upon the contestation, as well as upon subsequent proceedings, the fees and taxes of a first class action.	4 00	4 00	2 00
50	<i>Habeas Corpus</i> : 1. On the petition. . . . . 2. On the affidavit. . . . . 3. On the writ. . . . . 4. On each copy of the writ. . . . . 5. On the contestation. . . . . 6. On all subsequent proceedings, the fees and taxes of a second class action.	1 00 50 1 00 30 2 00	1 00 50 1 00	30 50 50
51	Evocation: 1. On the receipt of the record. . . . . 2. On a motion or inscription for decision as to the validity of the evocation. . . . . 3. If the evocation is declared to be well founded, the fees and taxes upon subsequent proceedings are those of a third class action.	1 50 1 00	1 50	80

## SECTION III.—Continued.

Art.	PROCEEDINGS	FEE	TAX	
			Quebec, Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.
52	Oppositions to judgment: Fee and taxes of a defence (Art. 24).			
53	Petition in revision of judgment: Fee and taxes of a defence (Art. 24).			
54	Petition in revocation of judgment. (See Art. 19).			
55	Opposition by a third party: (See Art. 19).			
56	Review:			
	1. On the inscription in review, including preparation and transmission of record	5 00		
	2. On the receipt of the record and enter- ing of the case at Quebec or Montreal	3 00		
	3. On the appearance of each party.....	3 00		
	4. On the filing of the factum.....	2 00		
	5. On every re-hearing ordered.....	1 00		
	6. On every proceeding not specially provided for, the same fee as upon an analogous proceeding in the Superior Court.			
57	Appeal to the Court of King's Bench:			
	1. On the inscription.....	2 00	12 00	12 00
	2. On the security.....	2 00	3 00	2 00
	3. On justification of solvency.....	50		
	4. On a copy of the security bond.....	1 00		
	5. For copying proceedings, per 100 words.....	10		
	6. For preparation and transmission of record.....	5 00		
58	Appeal from a judgment of the Superior Court to the Supreme Court or the Privy Council:			
	1. On the Security:			
	Supreme Court.....	5 00		
	Privy Council.....	5 00	24 00	24 00
	2. For comparing and certifying a copy of the record, 15 cents per page.....			
59	Appeal from Courts of inferior jurisdiction to the Superior Court:			
	1. On the security when required.....	1 00	1 00	40
	2. On the petition in appeal.....	2 00	1 00	1 00
	3. On the answer or contestation.....	2 00	1 00	1 00
	4. On the inscription and incidental pro- ceedings, the fees and taxes of a fourth class action.			

## SECTION III.—Continued.

Art.	PROCEEDINGS	FEE	TAX	
			Quebec, Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.
60	<i>Certiorari:</i>			
	1. On the petition.....	2 00	2 00	1 00
	2. On the affidavit.....	50	50	30
	3. On the writ (copy 30).....	1 50	1 50	1 00
	4. On subsequent proceedings, the fees and taxes of a third class action.			
61	Petitions and motions:			
	1. On every petition or motion to amend or set aside a <i>capias</i> , conservatory attachment, or seizure before judg- ment, for coercive imprisonment, to homologate the report of a practitioner, surveyor, expert or arbitrator, or on behalf of a purchaser to retain the price of sale or any part thereof, or for dis- tribution of money, and also on every petition or motion not mentioned or provided for.....	1 00		
	2. On every answer to or contestation of any petition or motion not mentioned in or provided for by this tariff.....	1 00		
62	Copies:			
	1. On every copy of an interlocutory judgment, rule or order of less than 200 words.....	50		
	2. On every copy of a final judgment of less than 200 words.....	50	50	50
	3. On every additional 100 words.....	10		
	4. On every copy of any document, 10c. per 100 words, and for the certificate, 50c.			
	5. For affixing the seal.....	10		
63	Jurat:			
	On every jurat of an expert, practitioner, auditor or other person before a judge, prothonotary or commissioner.....	30		
64	Bill of costs: ①			
	On taxation of every bill of costs:			
	1st Class.....	50	1 00	80
	2nd Class.....		60	50
	3rd Class.....		40	30
	4th Class.....		30	20
65	For percentage on all sums deposited in court ②.....	1%	1%	1%

① Amended by order in council of 21st October, 1915.

② Replaced by order in council No. 459 of 26th April, 1916.

SECTION III.—*Continued.*

Art.	PROCEEDINGS	FEE	TAX	
			Quebec, Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.
66	<p>Crier's fees:</p> <p>N. B.— In districts where such officer is paid by fees, such fees are deducted from those payable to the Prothonotary, according to the following tariff:</p> <ol style="list-style-type: none"> <li>1. Upon the return of every writ of summons: <ul style="list-style-type: none"> <li>1st. 2nd. 3rd. Class.....\$ 0 80</li> <li>4th. Class.....50</li> </ul> </li> <li>2. Upon an incidental demand or other proceeding mentioned in article 19: <ul style="list-style-type: none"> <li>1st. 2nd. 3rd. Class.....80</li> <li>4th. Class.....30</li> </ul> </li> <li>3. On every inscription on the merits, not contested: <ul style="list-style-type: none"> <li>1st. 2nd. 3rd. Class.....50</li> <li>4th. Class.....30</li> </ul> </li> </ol> <p>Contested:</p> <ul style="list-style-type: none"> <li>1st. 2nd. 3rd. Class.....1 00</li> <li>4th. Class.....30</li> </ul> <ol style="list-style-type: none"> <li>4. On a writ of <i>venire facias</i> (art. 35).....1 40</li> <li>5. On licitation proceedings (art. 47).....4 00</li> </ol>			

## ABANDONMENT OF PROPERTY.

Art.	PROCEEDINGS	FEE		TAX	
		Prot.	Crier's	Quebec, Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.	\$ cts.
115	On every demand of abandonment of property.....	2 00		3 00	2 00
	On every copy.....	30			
116	On the return of every demand of abandonment of property.....	6 20	80		
117	On petition for the appointment of a provisional guardian to the property of an absentee, septuagenarian trader or of a woman public trader, and for the calling of the meeting of creditors. Art. 868, C. C. P.....	5 20	80	2 00	1 00
118	Upon the consent of the debtor to make an assignment of his property.....	1 00			
	Upon the appointment of a provisional guardian.....	50			
119	Upon the filing of the statement of the debtor.....	4 00		2 00	1 00
120	Upon the filing of an additional statement.....	2 00		1 00	50
121	For the attendance of the prothonotary or of any other authorized person at the meeting of creditors.....	2 00			
122	Upon the filing of a petition contesting the demand for abandonment of property.....	7 00		3 00	1 50
123	Upon the filing of a petition contesting the statement filed by the debtor.....	5 20	80	2 00	1 00
	Always of the 1st Class.....				
124	Upon every answer in writing given to such contestation.....	7 00		3 00	1 50
125	The contestation of the dividend sheet is a demand when it affects the dividend sheet in general, either for illegality or other causes. It is always of the 1st Class.....	5 20	80	2 00	1 00

ABANDONMENT OF PROPERTY.—*Continued.*

Art.	PTOCCEEDINGS	FEE		TAX	
		Prot.	Crier's	Quebec, Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.	\$ cts.
126	When it affects one or several dividends according to the rank given them, the class is determined by the amount of the sums contested.				
	1st Class.....	5 20	80	2 00	1 00
	2nd Class.....	4 20	80	2 00	1 00
	3rd Class.....	3 20	80	1 00	50
	4th Class.....	2 90	30	80	40
	Under \$100.00.....	1 00	30	60	
127	Upon the answer to such contestations:				
	1st Class.....	7 00		3 00	1 50
	2nd Class.....	6 00		2 00	1 00
	3rd Class.....	5 00		1 00	80
	4th Class.....	3 00		1 00	50
	Under \$100.00.....	1 50		60	
128	Upon every contestation of claim against a creditor.				
	According to the amount contested:				
	1st Class.....	5 20	80	2 00	1 00
	2nd Class.....	4 20	80	2 00	1 00
	3rd Class.....	3 20	80	1 00	50
	4th Class.....	2 90	30	80	40
	Under \$100.00.....	1 00	30	60	
129	Upon every answer to such contestation:				
	1st Class.....	7 00		3 00	1 50
	2nd Class.....	6 00		2 00	1 00
	3rd Class.....	5 00		1 00	80
	4th Class.....	3 00		1 00	50
	Under \$100.00.....	1 50		60	
130	Upon every inscription in law without contestation on facts, the same amount as for a contestation on facts.				
131	Upon every inscription on enquête and merits, or on merits alone if the enquête is not necessary for the above contestations:				
	1st Class.....	3 00	2 00	2 00	1 50
	2nd Class.....	2 00	1 00	2 00	1 00
	3rd Class.....	1 50	1 00	1 50	80
	4th Class.....	70	30	1 00	50
	Under \$100.00.....	40	20	10	



ABANDONMENT OF PROPERTY.—*Continued.*

Art.	PROCEEDINGS	FEE		TAX	
		Prot.	Crier's	Quebec, Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
		\$ cts.	\$ cts.	\$ cts.	\$ cts.
132	Upon every motion or petition of the nature of an intervention or of an opposition whatsoever, or of an action either for revendication or of any other nature, if the amount in question is not established by the affidavit in support of the proceeding, always of the 1st Class.....	5 20	80	2 00	1 00
133	If the amount is fixed by affidavit:				
	1st Class.....	5 20	80	2 00	1 00
	2nd Class.....	4 20	80	2 00	1 00
	3rd Class.....	3 20	80	1 00	50
	4th Class.....	2 90	30	80	40
	Under \$100.00.....	1 00	30	60	
134	Upon every answer to the proceedings mentioned in articles 132 and 133:				
	1st Class.....	7 00		3 00	2 00
	2nd Class.....	6 00		2 00	1 00
	3rd Class.....	5 00		1 00	80
	4th Class.....	3 00		1 00	50
	Under \$100.00.....	1 50		60	
135	Upon every motion, petition or demand not especially mentioned.	1 00			
136	Upon the filing of every contestation, in writing, of any motion, petition or contestation not elsewhere mentioned.....	1 00			
137	On every rule not exceeding 200 words.....	60			
138	On the 1st copy or duplicate of rule not exceeding 200 words.....	30			
139	On every other copy or duplicate of rule not exceeding 200 words...	10			
140	And for every additional 100 words.	10			
141	For every copy of interlocutory or final judgment not exceeding 200 words.....	1 10			
	And for every additional 100 words.	10			

ABANDONMENT OF PROPERTY.—*Continued.*

	PROCEEDINGS	FEE		TAX	
		Prot.	Crier's	Quebec, Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
142	For certificate of costs.....	30		1 00	
143	Recognizance or security bond of curator.....	2 00		3 00	1 50
144	For justification of solvency.....	50			
145	For every ministerial act outside of office (not including travelling expenses) for each attendance..	3 00			
146	All accessory proceedings to be of the same class as the principal pro- ceedings to which they refer.				
147	All proceedings made in the general interest of the creditors after the consent of the debtor to abandon his property, and not especially provided for in this tariff, to be of the 1st Class.				
148	The general tariff of the Superior Court applies to all proceedings not especially provided for by the above articles respecting abandonment of property.				
	WINDING UP OF COMPANIES				
149	Upon every petition for the winding up of a company.....	5 20	80	2 00	1 00
150	Upon the contestation of such a pe- tition.....	7 00		3 00	1 50
151	Upon every petition to fix the list of contributories.....	5 20	80	2 00	1 00
152	Upon the contestation of such a peti- tion.....	7 00		3 00	1 50
153	The tariff of abandonment of prop- erty and the general tariff of the Superior Court apply to anal- ogous proceedings in the winding up of companies.				

EXECUTIVE COUNCIL CHAMBER.

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QUEBEC, 21ST OCTOBER, 1915.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

It is ordered that tariff B of the Prothonotaries of the Superior Court, as enacted by the order in council of the 27th March, 1902, and amended by the orders in council of the 27th June, 1902; 22nd November, 1911; 28th December, 1914, and 10th September, 1915, be further amended:

a. By striking out articles 3 and 4 of section 1, respecting the classification of actions of the third and fourth class, and replacing them by new articles as follows:

“Article 3. *Third class* :

Actions in which the amount or value in dispute is \$200.00 or over.

“Article 4. *Fourth class* :

1. Actions in which the amount or the value in dispute is \$100.00 and less than \$200.00.

2. Contestations of municipal elections and actions to revise or set aside municipal by-laws or other municipal proceedings elsewhere than in cities and towns.”;

b. By adding thereto in the column of fees at article 64 respecting bills of costs, a fee for the taxation of the bill of costs of 50 cents in second class actions and of 30 cents in third and fourth class actions.

(Certified)

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

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EXECUTIVE COUNCIL CHAMBER

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QUEBEC, 26th APRIL, 1916.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

No. 459.

It is ordered that tariff B of the Prothonotaries of the Superior Court as enacted by the order in council of the 27th March, 1902, and amended by the orders in council of the 27th June, 1902; 22nd November, 1911; 28th December, 1914; 10th September, 1915, and 21st October, 1915, be further amended:

a. By inserting after paragraph No. 6 of item 39 of the tariff, a new paragraph, as follows:

	FEE
" 7. On every copy of the above mentioned writs. ....	.30

b. By replacing the four lines at the end of item 39 commencing with the words:

"N. B.—A duty or commission of 1 per cent on the moneys levied ", by the following:

"N. B.—The duty or commission of 1 per cent on the moneys levied by execution, under the provisions of paragraph 5 of article 3533 R. S. Q., 1909, must be kept by the sheriff or bailiff effecting the seizure, and paid in to the building and jury fund, according to law." ;

c. By striking out the five lines at the end of item 43 of the tariff beginning with the words :

" N. B.—On every judgment. .... etc." ;

d. By inserting, after item 43 of the tariff, a new item, as follows:

Art.	PROCEEDINGS	FEE	TAX	
			Quebec Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
43a	On every judgment of distribution or order for the payment of money levied, or for the distribution of moneys subject to an order of the court, the officer or person receiving the order to pay out such moneys shall keep back, on the amount allowed each of the parties. ....	\$ cts.	\$ cts.  1%	\$ cts.  1%

(e) By replacing item 65 of the tariff by the following:

Art.	PROCEEDINGS	FEE	TAX	
			Quebec, Montreal, Ottawa, Th. Rivers, St. Francis.	Other districts except Pontiac.
"65.	For percentage on all sums deposited, or on the amount of security given in lieu of deposit. ....	\$ cts.  1%	\$ cts.  1%	\$ cts.  1%

(Certified)

A. MORISSET,  
Clerk of the Executive Council.

EXECUTIVE COUNCIL CHAMBER.

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QUEBEC, 8TH OCTOBER, 1915.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

No. 1259.

REGULATION RESPECTING THE TARIFF OF DUES ON CEDAR  
TIMBER.

It is ordered that by temporary exception to article 15 of the timber regulations fixing at \$1.40 per thousand feet the tariff of dues on cedar timber, the timber of this kind cut under licenses for the forest years 1914-15 and 1915-16 shall be subject to dues of \$1.05 per thousand feet.

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

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EXECUTIVE COUNCIL CHAMBER.

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QUEBEC, 18TH MARCH, 1916.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

No. 292.

It is ordered that the order in council of the 19th June, 1904, fixing the scale of fees to be collected for the granting of licenses and the publication of notices thereof, granted to extra-provincial joint stock companies, in conformity with article 6103 of the Revised Statutes, 1909, be amended by adding thereto :

"In case the company changes its name, the fee shall be fifty per cent (50%) of the amount collected for the issue of the original license."

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