

ORDERS IN COUNCIL

HAVING FORCE OF LAW

IN THE

PROVINCE OF QUEBEC



THE HONORABLE
SIR FRANÇOIS LANGELIER, Knight
LIEUTENANT-GOVERNOR



QUEBEC
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ORDERS IN COUNCIL



EXECUTIVE COUNCIL CHAMBER

QUEBEC, 18th July, 1912.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

No. 839.

WOODS AND FORESTS REGULATIONS.

It is ordered that the hereinunder paragraph be added to the Woods and Forests Regulations in force, to wit :

Every holder of a timber licence on Crown Lands shall, at all times, except when the ground is covered with snow, have his forestry concessions patrolled by competent fire rangers, employed and paid by him, and duly appointed by the department of which the minister, from time to time, may prescribe the number ; and in default of so doing, a penalty of \$5.00 per square mile may be imposed, and the non payment of such penalty by the licensee in default, may entail the revocation of his licence.

WM. LEARMONTH,

Clerk Executive Council per interim.

EXECUTIVE COUNCIL CHAMBER

QUEBEC, 7th December, 1912.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

No. 1471.

REGULATIONS IN OPERATION OF MINES

Whereas under article 2214 of the R. S. P. Q., 1909, regulations may be made by the Lieutenant Governor in Council, respecting the sanitary condition and safety of the works in mines, so as to protect the life and health of the workmen therein employed.

It is ordered that under the authority of the aforesaid article 2214 of the R. S. P. Q., 1909, it be ruled and enacted as follows :

Re.—MAN HOISTS.

When persons employed in the working of mines are hoisted or lowered, by means of a steam or electric hoist, this hoist shall not be in charge of a person of less than twenty years of age.

Re.—EXPLOSIVES.

The storing of explosives shall be made in magazines or powder-houses, built to the satisfaction of the Inspector of Mines. Such magazine shall not be built nearer than four hundred feet from the mine or works, or from any public highway, without a special authorization from the Inspector of Mines.

Only implements of wood, brass or copper shall be used in opening cases containing explosives.

Blasting caps, detonators or fulminates of any sort shall in no case be kept or stored with the explosives.

In underground workings, no supply greater than that necessary for the next twenty four hours shall be kept, and this supply shall be stored in wooden boxes, in a part of the mine not less than 100 feet distant from all drilling or mining work. Such supply shall be in charge of an experienced man, who will apportion the explosives as they are needed.

In charging holes, no iron or metal tools shall be used for tamping.

Re.—TIMBERING.

When the enclosing rocks are not safe, shafts, winzes, level and other underground workings in use shall be suitably timbered, cased or lined, or otherwise made secure.

Re.—LADDER WAYS.

▮ The ladder in shaft or winze shall be in lengths not exceeding 25 feet each, with platforms at each of these intervals. These platforms shall be closely covered, with the exception of an opening just large enough to permit the passage of a man's body, so arranged that it would not be possible for a person to fall through this opening from one ladder-length to the one below.

The ladder-way shall be encased by a closely boarded partition, separating it completely from the compartment of the shaft used for hoisting the material.

No person shall be hoisted or lowered by means of buckets or skins without vertical guides.

AUTHORITY OF INSPECTOR AND PENALTIES.

The Inspector of Mines has full authority to enforce the above regulations, or to exercise such other powers as he may judge necessary to ensure the safety and protection of miners and other persons employed in or about mines, mills or smelters.

Non compliance, on the part of mine-owners or their agents, with any rule contained in these regulations, shall be deemed an offence subject to penalties mentioned in article 2207 of the Revised Statutes of the Province of Quebec.

WM. LEARMONTH,

Acting Clerk Executive Council.

EXECUTIVE COUNCIL CHAMBER

QUEBEC, 31st December, 1912.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

No. 1547.

It is ordered that the obligation to manufacture in Canada any timber cut on Crown lands, as enacted by article 13 of woods and forests regulations, shall not apply to the timber cut from the first day of May, 1911, and which will be cut hereafter on the timber limits hereinafter described ; and that all pulp wood cut from the first day of May, 1911, or which will be cut hereafter on the said timber limits, or the paper, paper board or wood pulp manufactured from the wood cut on such timber limits, may be exported free of any export duty, or any other charge of any kind whatsoever, or any prohibition or restriction in any wise relating to such exportation.

Lake Ken ami (Plessis), No. 21 ; Mesy South, No. 26 ; Rivière-aux-Écorces, No. 20 ; Mesy, No. 25 ; River Pikauba, No. 16 ; Township Dequen, No. 149 ; Caron, No. 29 ; Rivière-aux-Écorces, west ; Rivière-aux-Écorces, east.

River Saint-Maurice, No. 6 west ; River Saint Maurice, No. 10 west ; River Saint Maurice, No. 11 west ; River Saint Maurice, No. 12 west ; Rivière-au-Rat, No. 1 south ; River Wesseneau, A, B, C, D.

Saint Maurice west, No. 13 ; Saint Maurice west, No. 14 ; Trenche west, No. 1 ; Croche west, No. 4 ; Arrière Croche, B.

Lake Clair, No. 2 west ; Lake Clair, No. 2 east ; Mattawan, No. 2 south ; No. 5 south ; No. 5 rear south ; No. 6 south ; No. 6 rear south ; No. 7 south ; No. 5 north ; No. 7 north ; Croche, No. 1 east ; No. 3 east ; No. 3 rear east ; No. 1 west ; No. 2 west ; No. 3 west ; No. 5 west ; Bostonnais, No. 1 north ; Bostonnais, No. 2, north half west.

WM. LEARMONTH,

Clerk Executive Council per interim.

EXECUTIVE COUNCIL CHAMBER.

QUEBEC, 4th July, 1912.

PRESENT : The LIEUTENANT-GOVERNOR in Council.

No. 803.

Whereas in conformity with the provisions of article 4565, R. S. Q., 1909, the General Council of the Bar of the Province may, from time to time, make tariffs of fees for the advocates practising before any judicial tribunal in this province.

Whereas such tariff must be submitted to the Lieutenant Governor in Council and can enter into effect only with his approval.

Whereas the General Council of the Bar, on the 26th October, 1911, made tariffs of fees for advocates, practising before the Court of King's Bench, Appeal Side, and before the Superior Court, and has transmitted copies thereof to the Lieutenant Governor in Council for approval.

It is ordered that the tariffs of fees for advocates practising before the Court of King's Bench, Appeal Side, and before the Superior Court, adopted at its meeting of 26th October, 1911, be approved and take effect from the 1st September next, 1912.

WM. LEARMONTH,

Clerk Executive Council per interim.

TARIFF OF ADVOCATES', FEES IN THE COURT OF KING'S BENCH
(APPEAL SIDE)

FEES OF COUNSEL, ADVOCATES AND ATTORNEYS IN THE COURT OF KING'S BENCH
(APPEAL SIDE), PROVINCE OF QUEBEC.

SECTION 1.

CLASSES OF ACTIONS

THERE SHALL BE TWO CLASSES OF APPEALS AS FOLLOWS:

FIRST CLASS ACTIONS CONSIST OF

1. Personal, real and mixed actions when the value in contest exceeds \$1,000.00,
2. Proceedings by Injunction, *Quo Warranto*, *Mandamus*, *Scire Facias*, *Requête Libellée*, Prohibition or others, under articles Nos. 997 to 1039 of the Code of Civil Procedure, and upon like Proceedings, unless the class be otherwise determined by the judgment in appeal.
3. Actions for separation from bed and board, *en déclaration de paternité*, oppositions to marriage, of boundary, possessory and petitory.

SECOND CLASS ACTIONS CONSIST OF ALL ACTIONS NOT INCLUDED IN
THE FIRST CLASS

TARIFF

	1 cl.	2 cl.
Article 1.—Examining record and taking instructions to prosecute or defend.....	\$ 10 00	\$ 8 00
Article 2.—Inscribing case in appeal and giving notice.....	18 50	14 50
Article 3.—Examining inscription in appeal.....	11 00	9 00
Article 4.—Each notice of security in appeal.....	2 50	2 00
Article 5.—Attendance when security is put in and examining recognition.....	10 00	8 00
Article 6.—Drawing appearance and filing it.....	2 50	2 00
Article 7.—Every attendance in Court.....	2 50	2 00
Article 8.—Every attendance at the office to file pleadings or documents, to obtain rules, to take communication of record or pleadings filed.....	1 50	1 25
Article 9.—Drawing petitions, motions, interventions, <i>reprises d'instance</i> and other incidents.....	4 00	3 00
Article 10.—On every copy of documents mentioned in Nos. 9 and 16...	2 00	1 50
Article 11.—Attendance and making extracts of record.....	15 00	12 00
Article 12.—Drawing factum.....	50 00	40 00

VIII

ORDERS IN COUNCIL

	1 cl.	2 cl.
Article 13.—Copy for printer, in both classes.....	\$20 00	\$20 00
Article 14.—Fee on every argument on the merits.....	75 00	60 00
Article 15.—Fee on every argument of a motion, petition, rule, intervention, <i>reprise d'instance</i> and other incidents.....	10 00	8 00
Article 16.—Drawing every necessary affidavit.....	2 00	1 50
Article 17.—Fee on motion for leave to appeal from interlocutory judgment.....	10 00	8 00
Article 18.—Fee on dismissal of appeal for want of proceeding, or on discontinuance, or on settlement before hearing.....	30 00	25 00
Article 19.—Drawing bill of costs.....	3 00	2 00
Article 20.—Copy of same.....	2 00	1 50
Article 21.—Attendance on remitting record.....	6 00	5 00
Article 22.—For each travel from any district, to Montreal or Quebec, made expressly for the hearing of the case.....	\$15.00	
Article 23.—Fees for correcting proof sheets of factum and evidence, not including cost of printing of factum and of evidence, as established by affidavit, 50 cts a page.....		
Article 24.—In cases of \$4,000.00 to \$10,000.00 and in cases mentioned in No. 2 of first class actions, an additional fee of \$30.00 to each attorney when the case is settled after inscription, but before hearing, and of \$50.00 when the case is argued on the merits.....		
In cases of \$10,000.00 and over, an additional fee of \$50.00 to each attorney when the case is settled after inscription, but before hearing, and of \$75.00 when the case is argued on the merits.....		
In cases of \$50,000.00 and over, an additional fee of \$75.00 to each attorney when the case is settled after inscription, but before hearing and of \$100.00 when the case is argued on the merits.....		
Article 25.—On motion to appeal to Privy Council.....	\$ 25 00	
Article 26.—On security on appeal to Privy Council.....	15 00	
Article 27.—On proceedings to have the appeal declared lapsed.....	15 00	
Article 28.—On every cablegram and letter sent to solicitors in England.....	2 00	
Article 29.—On receipt of every cablegram and letter from the solicitors.....	2 00	
Article 30.—On motion to fix security on appeal to Supreme Court.....	15 00	
Article 31.—On every bail bond on appeal to Supreme Court.....	15 00	
Article 32.—On petition to settle the " Case ".....	15 00	
Article 33.—On correspondence with Ottawa and transmission of documents.....	15 00	

**TARIFF OF ADVOCATES' FEES IN SUITS IN THE SUPERIOR COURT OF THE
PROVINCE OF QUEBEC.**

SECTION I.

CLASSES OF ACTION

Article 1.—First class.—1. Actions in which the amount or value in issue is \$1,000.00 or over.

2. Proceedings by Injunction, *Quo Warranto*, *Mandamus*, Prohibition, annulment of letters patent, (*Scire facias*) and others analogous, provided for by articles 978 to 1010, C. C. P., actions to set aside a will, for separation from bed and board, of declaration of paternity, opposition to marriage, boundary, possessory and petitory.

Article 2.—Second class.—1. Actions in which the amount or value in issue is \$400.00 or over.

2. Suits for separation as to property, for removal from tutorship or curatorship, partition and all personal, real and mixed actions which are not comprised in the first class, and which are not otherwise provided for.

Article 3.—Third class.—Actions in which the amount or value in issue is \$200.00 or over.

Article 4.—Fourth class.—Actions in which the amount or value in issue is \$100.00 and under \$200.00.

SECTION II.

GENERAL RULES.

Article 5.—An additional fee shall be granted to attorney.

1. In non contested cases of:

\$ 2,500.00 and over.....	\$ 20.00
5,000.00 and over.....	30.00
10,000.00 and over.....	50.00
50,000.00 and over.....	100.00

2. To each attorney, in contested cases of:

\$ 2,500.00 or over.....	\$ 40.00
5,000.00 or over.....	60.00
10,000.00 or over.....	100.00
50,000.00 or over.....	250.00

Article 6.—On all proceedings for which the tariff does not specially provide, the fees fixed by the tariff on analogous proceedings shall be granted; the judge may, however, determine the amount of such fees by an order subsequent to the judgment, if this does not make mention of them.

Article 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.

Article 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.

Article 9.—The costs in actions to account are taxed against the plaintiff according to the amount demanded, and against the defendant according to the amount for which he is bound to render account.

- Article 10.—In any action in ejectment instituted in virtue of the lessors and lessees act, in which no condemnation is asked for rent due or for damages (which action is provided for by the statutes) the costs shall be those of a personal action taken in the Superior Court or Circuit Court, as the case may be, for a sum equal to the value of the use and occupation of the leased premises for the current year at the time of the institution of the action, or, if the lease shall have expired, then for a sum equal to the rent paid during the last year that the lease was in force.
- Article 11.—In actions of damages for personal wrongs, the costs, are taxed, against the plaintiff according to the amount demanded, and against the defendant as of the class of actions to which the amount of the final judgment corresponds. (See article 550, C. C. P.)
- Article 12.—In actions for sums of money under \$200.00, instituted by writ of *capias ad respondendum*, the costs are the same as in actions of the fourth class.
- Article 13.—On proceedings by action or by petition in reference to municipal or school matters in cities or towns, such as contesting valuation or assessment rolls, or others of the same nature, same fees as in second class actions, unless otherwise provided for by some special law.
- Article 14.—In any case where there are several defendants and they sever in their defence, the plaintiff's attorney shall receive, on each additional issue, one half of the fee allowed by article 23, plus one half of *enquête* and hearing fees (arts. 43, 44), with also half of the additional fee mentioned in article 5 if expedient. The same rule applies equally to interventions, and to all proceedings mentioned in article 46 of this tariff.
- 14a.—On petitions made under the provisions of article 7321 and following of the R. S. P. Q., concerning accidents to workmen in course of their work. When judgment is rendered granting compensation, the fee shall be that of article 17 of this tariff, according to amount allowed, or the capital sum upon which the rent is based.
- Article 15.—The costs of exhibits, copies of plans, deeds or other documents shall be included in the bill, only when they have been ordered in view of the suit.

SECTION III.

	1st cl.	2nd cl.	3rd cl.	4th cl.
Article 16.—If the action be settled before return.....	\$25 00	\$18 00	\$14 00	\$10 00
Article 17.—If the action be settled or if the defendant confesses judgment on the day of the return or on the following juridical day.....	30 00	20 00	16 00	12 00
Article 18.—If the action be settled or if the defendant confesses judgment, after the delay mentioned in the proceeding number, but before plea filed, or inscription for proof, or inscription for final hearing on the merits where no <i>enquête</i> is necessary.....	35 00	22 00	18 00	15 00
Article 19.—If the action be settled after the inscription on the roll for proof, but before the closing of the <i>enquête</i> , or after the inscription for final hearing on the merits, where no <i>enquête</i> is necessary, or if judgment be rendered on such last mentioned inscription.....	40 00	25 00	20 00	16 00
Article 20.—If the action be settled, after <i>enquête</i> closed, or if judgment be rendered in such action after <i>enquête</i>	50 00	35 00	24 00	20 00

	1st cl.	2nd cl.	3rd cl.	4th cl.
Article 21. —To the attorney of defendant or respondent for his appearance in any action or in any of the proceedings mentioned in article 46 of this tariff, when no contestation is filed.....	\$10 00	8 00	6 00	4 00
Article 22. —If the action be settled after the filing of any plea, other than a plea to the merits and without enquête, or if the action be dismissed on such plea and without enquête To each attorney.....	50 00	30 00	25 00	20 00
Article 23. —If the action be settled after the filing of a plea to the merits: To each attorney.....	60 00	40 00	30 00	24 00
Article 24. —If the action be settled after the inscription for final hearing, or if judgment be rendered on such hearing: To each attorney:.....	80 00	60 00	50 00	30 00
Article 25. —If the inscription in law to the action be dismissed of if a partial inscription in law is maintained: To each attorney.....	20 00	12 00	8 00	5 00
Article 26. —When action is submitted on factums by order of the judge: To each attorney besides the fee on hearing, an additional fee of.....	25 00	20 00	15 00	10 00
Article 27. —On joint factum or case filed in conformity with article 509, C. C. P., hearing included and to cover all fees: To each attorney:.....	100 00	75 00	50 00	25 00
Article 28. —For every notice required by law, prior to action.....	6 00	5 00	4 00	2 00
Article 29. —For every duplicate, and every additional copy of declaration, petition, (requête libellée), incidental demand, intervention, opposition, or affidavit for seizure or other writ, and of any other proceeding mentioned in article 46 of this tariff.....	2 00	2 00	2 00	1 00
Article 30. —For every additional copy of petition or motion, service of which was required.....	1 00	1 00	1 00	0 50
Article 31. —On attendance to call in defendants, creditors, opposants or others, by notice in newspapers.....	5 00	3 00	2 00	1 00
Article 32. —To each attorney for fying copies of each pleading as required by art. 295 C. C. P.: Each copy.....	2 00	2 00	2 00	1 00
Article 33. —For affidavit or affidavits to obtain writs of <i>capias</i> , attachment before judgment, attachment in revendication, conservatory attachment, injunction, prohibition, <i>mandamus</i> , <i>quo warranto</i> , <i>scire facias</i> and <i>habeas corpus</i> including the first copy of such affidavit.....	10 00	8 00	6 00	4 00

	1st cl.	2nd cl.	3rd cl.	4th cl.
Article 34.—For each writ of <i>capias</i> or attachment before judgment, or conservatory attachment, issued after suit brought:				
To plaintiff's attorney.....	\$20 00	15 00	10 00	5 00
Article 35.—On contestation of <i>capias</i> , attachment before judgment, or conservatory attachment:				
To each attorney.....	50 00	30 00	25 00	20 00
If there is an <i>enquête</i> , see article 43.				
Article 36.—On petition (<i>requête libellée</i>) for the issuing of a prerogative writ of <i>habeas corpus</i> when such writ is refused:				
To each attorney.....	\$20 00			
Article 37.—On petition for interlocutory or interim injunction when contested:				
To each attorney.....	50 00	30 00	25 00	20 00
If there is an <i>enquête</i> , see art. 43.				
Article 38.—On any surety bond:				
To each attorney.....	6 00	5 00	4 00	3 00
Article 39.—On any petition or motion not specially provided for, as also on the contestation thereof:				
To each attorney.....	8 00	6 00	4 00	2 00
If there is an <i>enquête</i> , see article 43.				
Article 40.—For drawing interrogatories on articulated facts.....	5 00	4 00	3 00	2 00
Article 41.—On proceedings had under art, 286 C. C. P., for the examination of party after plea filed, as also on proceedings had under articles 590, 651, 811, 882, 883, C. C. P., for the examination of debtors, opposants or other creditors, including examination.....	10 00	8 00	6 00	4 00
Article 42.—PRELIMINARY EXCEPTIONS to actions and grounds in law to oppose a plea or pleading other than the declaration:				
1. (a) On judgment rejecting declinatory exception, exception of "lis pendens", dilatory exception, or to the form;				
(b) On judgment maintaining dilatory exception;				
(c) On judgment on declinatory exception referring case to competent judge or court;				
(d) On any other pleading in law rejected after hearing:				
To each attorney.....	15 00	10 00	8 00	6 00
2. On judgment allowing a party to amend a pleading, after the filing of an exception or answer thereto, motion fee not included:				
To the attorney of the adverse party.....	10 00	8 00	6 00	4 00

1st cl. 2nd cl. 3rd cl. 4th c.

Article 43.—ENQUETE FEES:

1. On all proceedings mentioned in article 46 of this tariff when not contested, and on every preliminary exception, petition, motion, rule and all other incidental proceedings, after enquête made, or on filing an affidavit or affidavits ordered by the Court.....	\$ 10 00	8 00	6 00	4 00
2. In contested actions, and all proceedings mentioned in article 46 of this tariff, when contested, after enquête made.....	25 00	20 00	15 00	10 00
3. In any contested case when the proof or hearing has necessarily lasted more than one day, for each additional day or part of day.....	20 00	10 00	6 00	4 00

Article 44.—HEARING AND RE-HEARING:

To each attorney:

1. For hearing of a contested action and of any of the proceedings mentioned in article 46 of this tariff, when contested, as well as on every re-hearing ordered.....	15 00	12 00	8 00	6 00
2. For every re-hearing on any plea, ordered by the Court.....	10 00	8 00	6 00	4 00
3. For every re-hearing ordered by the Court on any rule, or other proceeding not specially provided for.....	4 00	3 00	2 00	1 00

Article 45.—CONTINUANCES:

1. On the postponement of a case inscribed for proof and hearing: 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, the party bound to proceed not being ready. To the attorney of adverse party.....	1 00	1 00	1 00	1 00

Article 46.—ON PROCEEDINGS hereinafter mentioned, to wit:

1. Incidental and cross-demands;
2. Intervention;
3. Improbation, after filing reasons (an additional fee of \$4.00 for drawing up power of attorney.)
4. Disavowal;
5. Continuance of suit;
6. Opposition to annul, to secure charges or to withdraw;
7. Opposition for payment;
8. Petition in revocation of judgment (after allowance by the judge);
9. Opposition by third parties; (tierce-opposition);
10. Vacating sheriff's sale;
11. Contestation of report of distribution or collocation (contesting party being considered plaintiff);
12. Contestation of garnishee's declaration (contesting party being considered plaintiff);
13. Resale for false bidding. (folle enchère).

	1st cl.	2nd cl.	3rd cl.	4th cl.
The fees are:				
(a) If settled after filing.....	\$ 20 00	16 00	12 00	8 00
(b) If judgment be rendered by default or exparte.....	30 00	20 00	16 00	12 00
If there is any proof, see article 43.				
(c) If contested, the fees of a contested action.				

The fees on incidental demands, interventions, oppositions for payment, oppositions by third parties, contestations of report of distribution or collocation and contestations of garnishees' declarations, follow the amount claimed by such proceedings; on the opposition to withdraw, the value of the effects; on the resale for false bidding, the amount of the adjudication; and, on the other proceedings, the class of the action in which they are filed.

Article 47.—ROGATORY COMMISSIONS;

To each attorney:

1. For choosing the commissioners..... \$ 5.00
2. For drawing interrogatories and cross-interrogatories..... 10.00
3. To the attorney prosecuting the execution of the commission..... 6.00

Article 48.—TRIAL BY JURY:

To each attorney:

Besides the fees on the action:

1. For drawing statement of facts to be submitted to the jury..... 15 00
2. For striking the panel..... 10 00
3. For preparing factum..... 20 00
4. When the case has been reserved for the consideration of the Court of Review, for all proceedings up to judgment, an additional fee of:..... 40 00

Article 49.—ACCOUNTING:

(See article 9.)

Besides the fees on the action:

1. For all proceedings after judgment ordering an account to be rendered, when account is not contested:
 To each attorney..... 20.00 15 00 10 00 8 00
2. If the account is contested, the fees are those of a contested action, the contestant being considered plaintiff.

Article 50.—ON PROCEEDINGS to appoint curator to a surrender in hypothecary action:

To the attorney..... 5 00 4 00 3 00 2 00

Article 51.—ON ATTENDANCE to register a judgment.....

5 00 3 00 2 00 1_00

ORDERS IN COUNCIL

XV

Article 52.—EXECUTION: 1st cl. 2nd cl. 3rd cl. 4th cl.

On issue of writ:

1. De bonis.....	\$ 5 00	4 00	3 00	2 00
2. De terris.....	6 00	6 00	6 00	6 00

The fees on execution follow the class of action in which the writ is issued. If, however, the writ is issued for a less sum, the fees follow the class of action of the amount claimed. The same rule applies to proceedings subsequent to the writ.

Article 53.—SEIZURE BY GARNISHMENT AFTER JUDGMENT:

The fees follow the class of action, in which the writ is issued. If, however, the writ is issued for a less sum, the fees follow the class of the amount claimed:

1. On issue of writ.....	8 00	6 00	4 00	2 00
2. If judgment is rendered by default against garnishee, or upon his declaration.....	8 00	6 00	4 00	2 00
3. For attendance at garnishee's declaration.....	2 00	2 00	1 00	1 00
4. If seizure is contested, same fees as in contested actions.				
5. If garnishee's declaration is contested, the same fees as in contested action, according to the amount claimed from the garnishee.				

Article 54.—WRIT OF POSSESSION.

On issue of writ.....	5 00	4 00	3 00	2 00
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Article 55.—REPORT OF DISTRIBUTION.

1. On proceedings to have report of distribution prepared, or to have moneys paid without the formalities of report of distribution.....\$10 00
2. On appearance for a creditor or for a party collocated and filing documents, the fee on appearance is fixed by article 21, according to the amount of the claim or collocation.

Article 56.—COERCIVE IMPRISONMENT:

1. On petition or motion for rule:				
To each attorney.....	8 00	6 00	4 00	2 00
2. For proceedings on rule, when not contested:				
To attorney of petitioner.....	10 00	8 00	6 00	4 00
3. If rule is contested:				
To each attorney.....	12 00	10 00	8 00	6 00

If there is an enquête. See article 43.

Article 57.—SEQUESTRATION:

1. On petition when not contested:
 - To petitioner's attorney.....10 00
 2. On petition when contested:
 - To each attorney.....20 00
- For enquête. See article 43.
3. On incidental proceedings, fees of the second class.

Article 58.—ANNULMENT OF LETTERS PATENT:

On the preliminary proceedings to obtain the authorization of Solicitor General or Attorney General.....\$25 00

Article 59.—PETITION OF RIGHT:

1. Fees according to amount of issue.
2. On proceedings to obtain Lieutenant-Governor's fiat..... 25 00

Article 60.—HYPOTHECARY ACTIONS:

against immoveables, whose owners are unknown or uncertain. In these cases the fees are according to the amount claimed.

Article.—61.—PARTITION AND LICITATION:

In addition to the fees on the action:

1. For preparing list of charges..... 10 00
2. For preparing notices..... 5 00
3. For all proceedings subsequent to judgment ordering licitation, when there is only one immoveable, one fee only... 40 00
4. For every additional immoveable..... 5 00
5. To attorney of defendant or defendants on all proceedings subsequent to judgment ordering licitation, one fee only..... 20 00

Article 62.—CONFIRMATION OF TITLE:

On proceedings to obtain judgment of confirmation of title: To the petitioner's attorney:

1. If purchase money does not exceed \$400.. 20 00
2. If purchase money exceeds \$400, but does not exceed \$1,000, or, if the consideration is not of a pecuniary nature... 30 00
3. If purchase moneys exceeds \$1,000..... 40 00
4. If purchase money exceeds \$2,500..... 50 00
5. If purchase money exceeds \$5,000..... 75 00
6. If purchase money exceeds \$10,000..... 100 00
7. The fees on oppositions to judgment of confirmation of title, are the same as on oppositions to executions.

Article 63.—DEPOSITS in conformity with articles 1484-86, R. S. P. Q. On proceedings by a creditor to withdraw the whole or part of the sum deposited:

1. If there is 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 contested actions according to the amount claimed.
- Article 64.—SEPARATION OF PROPERTY, or from bed and board. Besides the fees on these actions:
1. For preparing and sending notices..... 5 00
2. On proceedings to determine the reprises of the plaintiff:
- (a) If there is no contestation:
To plaintiff's attorney..... 10 00
- (b) If contested:
To each attorney..... 20 00
- Article 65.—HABEAS CORPUS:
1. If not contested:
To petitioner's attorney..... 15 00
2. After the issue of the writ, to each attorney, the fees of a 2nd class action..
3. On incidental proceedings, the fees shall be those of a 2nd class action.
- Article 66.—EVOCATION:
1. On proceedings to have evocation declared well founded.
To each attorney..... 5 00
2. If the evocation is declared well founded, the costs are those of a third class action, which costs shall include services rendered in both Courts.
- Article 67.—APPEALS FROM INFERIOR TRIBUNALS to the Superior Court:
1. If there is no contestation:
To the appellants' attorney..... 10 00
2. If there is a contestation:
To each attorney..... 20 00
- Article 68.—OPPOSITION TO JUDGMENT is a plea to the action.
- Article 69.—PETITION IN REVISION is a plea to the action.
- Article 70.—PETITION IN REVOCATION OF JUDGMENT: See article 46.
- Article 71.—OPPOSITION BY THIRD PARTIES: See article 46.

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Article 72.—REVIEW BEFORE THREE JUDGES:

1. To appellant on his inscription	\$20 00	10 00	8 00	6 00
2. To respondent on his appearance.....	15 00	10 00	6 00	4 00
3. For preparing factum.				
To each attorney.....	50 00	40 00	30 00	20 00
4. If inscription is dismissed in default to proceed, or if it is dismissed on motion:				
To respondent's attorney.....	10 00	8 00	6 00	4 00
5. Fee for hearing on the merits:				
To each attorney.....	30 00	20 00	15 00	10 00
6. Fee on rehearing ordered:				
To each attorney.....	30 00	20 00	15 00	10 00
7. For travelling expenses from any other district to Quebec or Montreal made expressly for the hearing of the case, \$15.00.				
8. An additional fee in case of:				
\$ 2,500 00 or over.....	30 00			
5,000 00 or over.....	50 00			
10,000 00 or over.....	75 00			
50,000 00 or over.....	100 00			

Article 73.—APPEAL ABANDONED. Court of King's Bench, Appeal Side (under article 1213 C. C. P.).....

To respondent's attorney.....				
1. For examining inscription.....	10 00	8 00	6 00	4 00
2. For attendance to receive security.....	6 00	5 00	4 00	3 00
3. Fee on appeal abandoned.....	10 00	8 00	6 00	4 00

Article 74.—CERTIORARI.

1. On petition, affidavit included:				
To each attorney.....	10 00			
2. If the case is settled after the issue or return of the writ, or if the certiorari is not contested.....				
To each attorney.....	10 00			
3. If contested, or if judgment is rendered after contestation.				
To each attorney.....	30 00			
4. On the incidental or subsequent proceedings, the fees are those of 3rd class actions.				

Article 75.—NON CONTENTIOUS PROCEEDINGS:

In these proceedings, besides the fees hereafter mentioned, second class fees are allowed on all incidental proceedings.

1. Petition for order for inspection, for appointment of commissioner of Superior Court, or authorization to sign deed, or any petition of a like nature, for reinvestment of substituted properties, for rectification of civil status, and for exhumation:

- (a) When there is no contestation:
 To petitioner's attorney.....\$ 5 00
- (b) When there is a contestation.
 To each attorney..... 20 00
2. Proceedings for appointment of testamentary executors, or to be relieved from office of testamentary executor:
- (a) When there is no contestation:
 To petitioner's attorney..... 10 00
- (b) To each attorney, if there is a contestation, the fees of a second class action:
3. Family Council, Tutorship, Curatorship, Interdiction, Judicial Advisers, etc.
 To petitioner's attorney:
- (a) On petition for convocation of family council..... 4 00
- (b) On every additional copy of petition served on relatives..... 1 00
- (c) Attendance at family council when there is no contestation..... 10 00
- (d) When there is a contestation:
 To each attorney..... 25 00
- (e) If there is an enquête..... 10 00
- (f) If the enquête lasts more than one day, an additional fee of \$10.00 per day or part of day:
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) When there is a contestation:
 To each attorney..... 25 00
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 is no contestation.
- (a) On petition..... 10 00
- (b) On every additional copy of petition served on heirs..... 1 00
- (c) For preparing notices..... 5 00
- (d) When there is a contestation, to each attorney, fees of a contested second class action.

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- 8. Putting into Possession:
 - (a) If there is no contestation:
 - To petitioner's attorney..... 20 00
 - (b) On preparing notices..... 5 00
 - (c) If there is a contestation, to each attorney, fees of a contested second class action.
- 9. Probate of Will:
 - On the proceedings for probate..... 20 00
- 10. On appeal to Court of Review in any non-contentious proceedings, the fees are those of a second class action in review.

Article 76.—ASSIGNMENTS OF ESTATE,
Liquidation of Partnerships and of
Insolvent Banks and Corporations:

- 1. For preparing demand of assignment, of estate..... 20 00
- 2. For preparing assignment, and filing the sworn statement of creditors and insolvent's statement..... 20 00
- 3. For any petition and motion..... 6 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 any privileged or hypothecary claim..... 3 00
- 7. On contestation of claim or dividend sheet, of an application for the appointment of a liquidator, or of an application to have a party held to contribute, and other like proceedings, the same fees as in ordinary actions for a like amount.
- 8. On all proceedings not specially provided for, same fees as under the general tariff in so far as it is applicable.

Article 77.—ADVOCATE ACTING AS ARBITRATOR
PRACTITIONER OR COMMISSIONER to
take evidence, unless otherwise agreed be-
tween the parties:

- 1. To every practioner or abitrator, for examining case and record.....\$40 00 \$30 00 \$20 00 \$10 00
- 2. For every sitting, less than one hour, and for every hour (provided that not more than three hours be allowed in taxation, per day)... 6 00 5 00 4 00 3 00
- 3. For drawing up the judgment..... 20 00 15 00 10 00 5 00
- 4. To the clerk, for every sitting of less than one hour, not exceeding three hours per day..... 1 00 1 00 1 00 1 00

Article 78.—VALUATION AND ARBITRATION.
To advocates representing an interested party
in a matter submitted to experts, auditors,
practioners or arbitrators, when amount
claimed is \$200.00 or over:

- 1. For attendance at every sitting when case is proceeded with, per day..... 10 00

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2. For attendance at any sitting convoked, when the case is not proceeded with.... \$ 2 00
3. When the amount claimed is less than \$200.00, half of the fees are granted.

Article 79.—EXPROPRIATION.

1. On petition for the appointment of commissioners or arbitrators;
 - To each attorney..... 10 00
2. For instructions, examinations of the property, preparing of the offer or claim, or the interview with the witness, examining the offer, etc.
 - When the amount awarded is \$10,000.00 or more..... 50 00
 - When \$5,000.00 to \$10,000.00..... 40 00
 - When \$5,000.00 to \$2,500.00..... 30 00
 - When \$2,500.00 to \$1,000.00..... 25 00
 - When \$1,000.00 to \$400.00..... 20 00
 - When under \$400.00..... 15 00
3. For attendance at each sitting, when it is proceeded with, per day..... 10 00
4. For attendance on the adjournment, when the case cannot be proceeded with, per day..... 5 00
5. On subsequent proceedings, the fees are according to the amount allowed to party expropriated.
6. When there is an appeal to the court from the award of commissioners or arbitrators, or such like proceedings, the same fees as in a case for a like amount.

Article 80.—ON PROCEEDINGS for the payment of moneys awarded, in expropriation matters, To the attorney of the party expropriated:

1. When the amount allowed is \$5,000.00 or more..... 40 00
2. When the amount allowed is \$2,500.00 or more..... 30 00
3. When the amount allowed is \$1,000.00 or more..... 25 00
4. When the amount allowed is \$400.00 or more..... 20 00
5. When the amount allowed is \$200.00 or more..... 15 00
6. When the amount allowed is \$100.00 or more..... 10 00
7. When the amount allowed is less than \$100.00..... 5 00
8. When there is a contestation the fees are the same as in contested actions of the same class.

Article 81.—ON PROCEEDINGS in opposition to the homologation of a report of commissioners or arbitrators (according to amount allowed).

1. To each attorney..... \$50 00 \$40 00 \$30 00 \$20 00

	1st cl.	2nd cl.	3rd cl.	4th cl.
Article 82.—LAWYER'S LETTERS:				
For a letter, when the case is settled without the issue of writ.....	\$ 6 00	5 00	4 00	2 00
Article 83.—BILLS OF COSTS:				
For preparing and drawing final bill of costs, including copy:				
1. In contested cases.....	2 00	1 50	1 25	1 00
2. In default and <i>ex-parte</i> cases.....	1 00	1 00	0 75	0 50
3. For notice of taxation and attendance at taxation of the final bill (in contested cases only)..	2 00	1 50	1 00	1 00

I, the undersigned, certify that the foregoing tariff was established by the General Council of the Bar of the Province of Quebec, at its meeting of the 26th of October, 1911.

VICTOR MARTINEAU,

Secretary-Treasurer of the General Council of the Bar of the Province of Quebec.