

C H A P . 4 8

An Act to abolish costs in certain cases.

[Assented to 3rd April, 1912.]

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

C.C.P., 549,
am.

Fees in cer-
tain cases.
limited.

Exceptions.

1. Article 549 of the Code of Civil Procedure is amended by adding thereto the following paragraphs :

“Nevertheless in personal actions in which the amount demanded or the amount for which judgment is rendered does not exceed twenty-five dollars, no fee shall be granted against the defendant, who can only be condemned to pay the fees of the clerk and the costs of service of the action, except in the following cases :

1. Where the action is contested ;

2. Where the action is, or is accompanied by, a provisional measure, and such action or provisional measure is declared well founded by the judgment ;

3. Where the action is for the recovery of a penalty, or is founded on an infraction of a statute, or upon an offence or quasi-offence, or is for the recovery of wages or salary, or of an alimentary allowance, or of municipal or school taxes or assessments or other dues of the same kind, or of tithes, or of assessments for the construction or repair of churches, parsonage houses, and cemeteries.

The same rule applies to seizures and to executions in virtue of judgments to which this article applies.”

Saving
clause.

2. This act shall not affect pending cases, nor seizures or executions in virtue of judgments rendered before the coming into force of this act.