

## CHAP. 41

An Act to declare unassignable and not subject to seizure the annuities created by the act of the Parliament of Canada, 7-8 Edward VII, chapter 5.

[Assented to 4th June, 1910]

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

- 1.** The property and interest of an annuitant in a contract for an annuity made under the authority of the act of the Parliament of Canada, 7-8 Edward VII, chapter 5 and of the amendments that may from time to time be made to such act shall not be assignable.
- 2.** Such property and interest shall not be liable to seizure for any purpose, except in satisfaction of the rights of the creditors mentioned in section 11 of the said act 7-8 Edward VII, chapter 5.
- 3.** This act shall come into force on the day of its sanction.

## CHAP. 42

An Act to amend the Code of Civil Procedure

[Assented to 4th June, 1910]

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

- 1.** Article 15 of the Code of Civil Procedure, as amended by the acts 62 Victoria, chapter 52, section 1, and 9 Edward VII, chapter 73, section 2, is further amended :
- a. By inserting after the figure "800" in the second line of paragraph 8, the figures "834";
- b. By adding the following paragraphs before the last paragraph :
- " 13. Proceedings respecting a demand for an alimentary allowance ;
- " 14. Proceedings respecting the guardianship of property under seizure."

**2.** Article 286 of the Code of Civil Procedure, as amended *Id.*, 286 by the act 8 Edward VII, chapter 76, section 1, is further amended. amended by adding to paragraph 1, the words "his book-keeper, agent or manager."

**3.** Article 355 of the Code of Civil Procedure is amended *Id.*, 355 by replacing the first paragraph by the following : amended.

" **355.** The court may dispense with the attendance of a witness at the trial and shall receive any testimony taken by consent of the parties out of court."

**4.** Article 590 of the Code of Civil Procedure, is amended *Id.*, 590 by replacing the first paragraph by the following : amended.

" **590.** So soon as an unsatisfied judgment becomes ex-Persons who ecutory the creditor may summon the following persons to may be ex- appear before the judge or the prothonotary to answer the amined after questions to be put to him respecting the property and assets judgment. of the debtor."

**5.** Article 697 of the Code of Civil Procedure is amended *Id.*, 697 by replacing the second paragraph by the following : amended.

" Any other creditor may, so long as the seizure in garnish- Filing of ment remains binding, file in the record of the case his sworn creditors' claim, and in such case shall give notice thereof to the seizing claims, &c. creditor and to the debtor."

**6.** Article 749 of the Code of Civil Procedure is amended by *Id.*, 749 replacing the last paragraph by the following : amended.

" Such condition shall be mentioned in the advertisements published under the provisions of article 717."

**7.** Article 859 of the Code of Civil Procedure as amended *Id.*, 859 by section 9 of the act 9 Edward VII, chapter 74, is further amended. amended. amended by adding the following paragraph after the second paragraph:

" When the distance is more than fifty miles, the delay is increased by one day for every additional fifty miles."