

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]

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

Certain
property, &c.
not assign-
able.

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.

Nor seizable.

Exception.

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.

Coming into
force.

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]

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

C. C. P., 15
amended.

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 executory the creditor may summon the following persons to appear before the judge or the prothonotary to answer the questions to be put to him respecting the property and assets of the debtor." *Persons who may be examined after judgment.*

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 garnishment remains binding, file in the record of the case his sworn claim, and in such case shall give notice thereof to the seizing creditor and to the debtor." *Filing of creditors' claims, &c.*

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 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."
