

C H A P . 72

An Act to amend the act to provide for appeals from the decisions of Recorders and Recorders' Courts in matters of assessment

[Assented to 29th May, 1909]

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

57 V., c. 49, s. 1, replaced. **1.** Section 1 of the act 57 Victoria, chapter 49, as replaced by the act 2 Edward VII, chapter 42, section 1, is again replaced by the following :

Appeal from certain judgments of recorders, &c. “**1.** In all cases or proceedings in which the amount in dispute relates to one or more municipal or school taxes or assessments or fines or penalties, imposed by any municipal by-law, exceeding in all the sum of five hundred dollars, or to the interpretation of a contract to which the municipality is a party the subject matter whereof is of the value of at least five hundred dollars, there shall be an appeal from the final decision of any recorder or recorders' court to the Court of Review or the Court of King's Bench.

Proof of amount in dispute. If the amount in dispute does not appear upon the face of the proceedings it may be established by affidavit.”

Id., s. 3, replaced. **2.** Section 3 of the act 57 Victoria, chapter 49, is replaced by the following :

Procedure upon appeal. “**3.** As soon as the inscription is filed, the record, a copy of the judgment, and the inscription shall be sent to the Court of King's Bench or to the Court of Review, as the case may be, in accordance with articles 47 and 53 of the Code of Civil Procedure, and the case shall thereafter be continued in the same way as an ordinary case in appeal or review.”

2 Ed. VII, c. 42, s. 4, repealed. **3.** Section 4 of the act 2 Edward VII, chapter 42, is repealed.

Coming into force. **4.** This act shall come into force on the day of its sanction.