

tender of expenses.

his examination, signed by the person appointed by such order to take the same, and upon payment or tender of such travelling expenses as are ordinarily paid for attendance of a witness before the Superior Court, such party or witness may be compelled to appear and to give testimony, under the penalties prescribed by article 303.

Indemnity &c., of witness.

“**1447.** Every person thus summoned to give testimony, shall be entitled to such travelling expenses and indemnity as are granted to a witness in the Superior Court.

Witness has same privileges as in case before Superior Court, &c.

“**1448.** Every person examined under an order made under this chapter shall have the like right to refuse to answer any questions, which a party or witness, as the case may be, would have in any cause pending before the same court on judge, and no person shall be compelled to produce under such order any writing or other document that he would not be obliged to produce at the trial of such a cause.

Examiner may take oath or affirmation.

“**1449.** Any person authorized to take the examination of parties or witnesses by any order made under this chapter, may take such examination upon the oath of the parties or witnesses, or upon their affirmation, as the case may be, and such oath or affirmation shall be administered by the person so authorized.”

Evidence in support of application.

“**1450.** Rogatory letters from any court of justice in any other of the dominions of His Majesty, or from any foreign court in which a civil cause is pending, shall be deemed and taken to be sufficient evidence in support of such application.”

Coming into force.

3. This act shall come into force on the day of its sanction.

CHAP. 58

An Act to amend the Code of Civil Procedure

[Assented to 14th March, 1907]

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

C. P. C., art. 95, amended.

1. Article 95 of the Code of Civil Procedure is amended by adding thereto the following paragraph :

Inconsistent agreements void.

“No private agreement inconsistent with this article shall be of any effect.”

2. Article 321 of the said Code is amended by adding the following paragraph thereto : Id., art. 321,
amended.

“ It shall not be necessary to kiss the book containing the Gospels. It shall be sufficient for the witness to touch the same, declaring his intention to tell the truth.” Not necessary
to kiss book,
&c.

3. Article 443 of the said Code as amended by the act of 3 Edward VII, chapter 54, section 4, is further amended by adding the following paragraph : Id., art. 443,
amended.

“ Nevertheless the sheriff shall not summon the persons whose names compose the panel, until the party who has demanded the trial by jury deposits in his hands the sum of thirty dollars, as security for the payment of the sum for which the said jurors may be taxed, and the prothonotary shall tax the jurors so summoned like ordinary witnesses.” Deposit be-
fore summon-
ing panel, &c.

4. Article 485 of the said Code is amended by replacing the first paragraph thereof by the following : Id., art. 485
amended.

“ If the sum of thirty dollars deposited in virtue of article 443, is not sufficient to pay the amount for which the jurors are entitled to be taxed under said article, the jurors are not bound to render their verdict until the party demanding the trial by jury shall have deposited the amount of the deficiency.” If deposit is
insufficient,
&c.

C H A P. 59

An Act to amend the Municipal Code

[Assented to 14th March, 1907]

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

1. Article 21 of the Municipal Code, as enacted by article 6028 of the Revised Statutes, is amended : Art. 21,
M. C.,
amended.

(a) By inserting, after the word “ bridges ”, in the second line, the word “ ditches ”.

(b) By inserting after the word “ bridges ”, in the seventh line, the word “ ditches ”.

2. Article 426 of the said Code is amended by replacing the word “ December ” in the seventh line by the word “ February ”. Id., art. 426,
amended.