

C H A P. 36

An Act to amend the law respecting fish and game protection clubs

[*Assented to 9th March, 1906*]

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

R. S., 5493,
in french ver-
sion amend-
ed.

1. Article 5493 of the Revised Statutes is amended:

a. By adding the words: "en conseil" after the words: "lieutenant-gouverneur," in the third line of the French version.

b. By inserting after the words: "ainsi établi," in the sixth line of the French version, the word "en."

Id., 5495a re-
placed.

2. Article 5495a of the Revised Statutes, as enacted by the act 59 Victoria, chapter 35, section 1, is replaced by the following:

Semi-annual
return to be
made to Min-
ister of Co-
lonization,
Mines and
Fisheries.

"**5495a.** Every such club shall forward to the Minister of Colonization, Mines and Fisheries, on or about the first of April and on or about the first of October, in each year, a duly certified list of its members, containing an indication of their usual residence and another list of the guests and visitors, giving their usual residence."

C H A P. 37

An Act respecting the recovery of fines

[*Assented to 9th March, 1906*]

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

R.S., 30,
amended.

1. Article 30 of the Revised Statutes is amended by striking out the words: "as well in the name of the Crown as", in the fifth and sixth lines.

Id., 5716
to 5719,
replaced.

2. Articles 5716 to 5719, both inclusive, of the Revised Statutes, are replaced by the following:

“5716. 1. Whenever, by law or under a municipal by-law, any person is authorized to sue for the recovery of any fine or penalty before the civil courts, he may recover the same in his own name in the same manner as an ordinary debt of like amount even if the fine should wholly or partly revert to the Crown or to a municipal corporation. Suits for fines.

2. No affidavit is required from the plaintiff or any other person before such suit is taken. No affidavit required.

“5717. Notice of any action in recovery of a fine, wholly or partly reverting to the Crown or to a municipal corporation, shall be served without delay by the plaintiff upon the Attorney-General or upon the municipal corporation, and the original of such notice, with a certificate of its service, shall be returned into court with the action. No proceedings can be had on the action before such return. Notice to Attorney-General or municipal corporation and return thereof.

“5718. The Crown or the municipal corporation may intervene in the suit at any stage of the proceedings to protect its interests and continue the case to judgment. Intervention of Crown, &c.

“5719. In no case can the defendant validly become discharged, either before or after judgment, unless by depositing in the office of the court the amount of the fine and costs. The prothonotary or clerk thereafter distributes the amount so deposited, according to law.” Discharge only upon deposit in office of court.

3. Article 1048 of the Municipal Code, as replaced by the act 57 Victoria, chapter 51, section 10, is again replaced by the following: M. C., 1048, replaced.

“1048. Fines recovered in virtue of municipal by-laws or the provisions of this Code, belong, unless otherwise ordained, one-half to the prosecutor and the other half to the municipal corporation. Application of fines.

If the prosecution is taken in the name of the corporation, the fine belongs altogether to the corporation.

If the fine is due by the corporation it belongs one-half to the prosecutor and the other half to the Crown, and the Crown's half shall in such case be paid to the collector of provincial revenue of the revenue district.”

4. This act shall not affect pending cases and shall come into force on the day of its sanction. Pending cases and coming into force.