

## CHAP. 57

An Act to amend the Code of Civil Procedure with respect  
to the seizure of salaries or wages

[Assented to 25th April, 1903]

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

Art added  
after C.C.P.,  
1147.

Deposit by  
debtor of seiz-  
able portion  
of salary and  
proceedings  
thereupon  
and effect  
thereof.

**1.** The following article is inserted in the Code of Civil  
Procedure, after article 1147 :

“ **1147a.** If, within seven days of the judgment, or at  
any time before the execution, the defendant deposits with  
the clerk of the court the portion of his salary or wages  
liable to seizure under paragraph 11 of Article 599, and, at  
the same time, produces a declaration under oath setting  
forth the amount of such salary or wages, as well as the  
name, occupation and place of business of the person who  
pays the same and the time when the same are payable, and  
continues to deposit such portion so seizable at each term of  
payment until full payment of the judgment, no seizure by  
garnishment can be issued against such defendant to seize  
such salary or wages. A similar procedure shall be followed  
by the defendant whenever he changes his employer or  
the conditions of his engagement. This declaration may be  
contested in the same manner, and within the same delay as  
the declaration of a garnishee.

Payment to  
plaintiff, &c.

Eight days after any such deposit, the clerk of the court  
pays the amount thereof to the plaintiff if there are no other  
claims. The clerk of the court must keep an alphabetical  
list of the defendants who have made such declarations.

Claims by  
other cred-  
itors.

The other creditors may, within eight days of such  
deposit, file their claims duly sworn to in the record of the  
case, and must give notice to the parties interested.

Collocation,  
and payment  
by clerk.

The clerk of the court, after collocating the plaintiff for  
his costs in the suit, distributes rateably amongst the creditors  
the sum to be divided and determines, in a summary manner  
and without cost, the amount coming to each, which he pays  
to them.”

Coming into  
force.

**2.** This act shall come into force on the day of its sanc-  
tion.

