

C H A P. 42

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

[Assented to 26th March, 1902]

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, is replaced by the following :

Appeal allowed in certain cases to Superior Court sitting in review.

“**1.** In all cases or proceedings when 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, there shall be an appeal from the final decision of any recorder or recorders' court to the Superior Court, sitting in Review.”

Sec. added after id., 7.

2. The following section is added after section 7 of the said act :

Evocation of suits to Superior Court, if future rights affected.

“**8.** Whenever by the judgment in any suit, case or proceeding, before a recorder or a recorders' court, future rights may be affected, the defendant may evoke the suit, case or proceeding and require it to be removed to the Superior Court in the same district, for hearing and judgment, and in such case articles 49 and 1130 of the Code of Civil Procedure shall apply.”

Application of act.

3. The present act applies to pending cases, and all rights of appeal to which it relates shall exist as though such cases had been instituted subsequently to the coming into force of this act.

Act not to apply to city of Montreal. Coming into force.

4. This act shall not apply to the city of Montreal.

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

