

C H A P. 36

An Act to amend the Code of Civil Procedure respecting confessions of judgment

[Assented to 28th March, 1901]

HIS MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 530 of the Code of Civil Procedure is replaced C. C. P., 530 replaced.
by the following :

“**530.** If the confession of judgment is not accepted, the plaintiff must, within a delay of thirty days after the service upon him by the defendant of a copy of the confession of judgment, give notice to the defendant that the confession of judgment is not accepted. If confession not accepted.”

After such notice, the case is proceeded with in the ordinary manner ; and, if the plaintiff does not obtain more from the court than he would have had upon the confession, he is not entitled to more costs than if the confession of judgment had been accepted. Proceedings thereafter.

In default of the plaintiff giving the notice, the confession of judgment is deemed to be accepted, and the defendant may also inscribe the case forthwith for judgment in the manner prescribed by the preceding article.” Confession deemed to be accepted in certain cases.

2. This act shall come into force on the day of its sanction and shall apply to pending cases. Coming into force and application to pending cases.

C H A P. 37

An Act to amend articles 1342, 1351 and 1357 of the Code of Civil Procedure

[Assented to 28th March, 1901]

HIS MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 1342 of the Code of Civil Procedure is amended C. C. P., 1342 amended.
by adding the following paragraph thereto :

“In the event of the refusal or inability to act owing to absence or otherwise of the subrogate tutor, established by the tutor’s affidavit, the second expert is appointed by a judge of the Superior Court on the advice of the family council to which the subrogate tutor must have been summoned in the manner prescribed by article 1381.” Appointment of second expert by judge in case of absence or refusal of subrogate tutor.”