

C. C. P., 1351
replaced.

2. Article 1351 of the said Code is replaced by the following :

How sale is
made.

“ **1351.** The sale must be made judicially in presence of the tutor and subrogate tutor or in the absence of the latter if he has been summoned in accordance with article 1381, or in presence of the curator, as the case may be, to the highest bidder, by public auction, by the judge or prothonotary, or by another person appointed for the purpose.”

C. C. P., 1357,
amended.

3. Article 1357 of the said Code is amended by adding the following thereto :

Petition in
name of tutor
alone if sub-
rogate tutor
absent &c.,
provided no-
tice be given
to latter.

“In the event of the refusal or inability to act through absence or otherwise of the subrogate tutor, established by the tutor's affidavit, it shall suffice that the petition be presented by the tutor alone, provided a duplicate thereof has been served upon the subrogate tutor with a notice of the place, day and hour at which it will be presented.

Delay on no-
tice.

The delay on the notice is one clear day when the tutor resides at a distance of less than fifteen miles from the place where the petition is to be presented with a further delay of one day for every additional fifteen miles.”

Coming into
force.

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

CHAP. 38

An Act to amend article 761 of the Municipal Code

[Assented to 28th March, 1901]

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

M. C., 761.
amended.

1. Article 761 of the Municipal Code is amended by adding thereto the following words : “ only in the municipalities that are interested or affected by such *procès-verbaux*, by-laws or resolutions.”

Effect of act.

2. This act is merely declaratory and shall not be interpreted as meaning that the amended law was different from that which is set forth in the preceding section.

Coming into
force.

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