

## C A P. L V :

An Act to amend the Code of Civil Procedure.

[Assented to 9th January, 1897.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Art. added after C. C. P., 556. **1.** The following article is added after article 556 of the Code of Civil Procedure :

Lessor may notify lessee to quit if not paid. “**556a.** Whenever any rent is due by a lessee and is not paid when due, the proprietor or lessor shall have a right to notify the lessee, in writing, to quit the premises leased within a delay which shall not be less than three clear days ; and if he quit within the said delay the rent due is remitted him.

Rights of lessor if lessee do not quit. If the lessee refuse or neglect to comply with the said notice within the specified delay, the lessor may, by suit before a competent court, have all the moveables garnishing the leased premises, and which shall not have been removed within the specified delay, attached, and have the said moveables and effects sold in the ordinary manner, without the said lessee having any right to avail himself of the exemption from attachment provided for under article 556.

Act not compulsory upon lessor. The lessor may not avail himself of the benefit of this article, and in that case he shall preserve all his rights and recourse as though this article did not exist.

## C A P. L V I.

An Act to amend the law respecting the probate of wills.

[Assented to 9th January, 1897.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Art. added after C. C. P., 1336. **1.** The following chapter and article are added after article 1336 of the Code of Civil Procedure :

## CHAPTER SIXTH.

## OF PROBATE OF WILLS.

Judges, &c., may grant probate of wills. “**1336a.** Any judge of the Superior Court, at any place where the said court or the Circuit Court is appointed to be held, shall, in court or out of court, in term or out of term,

or in vacation, and any prothonotary of the Superior Court at the place where his office is therein held, shall, out of court, but in term or out of term, have and exercise within and for the district in which such place as aforesaid lies, the same power and authority as are vested in the court exercising superior original jurisdiction by article 857 of the Civil Code in what respects the probate of wills.

The proceedings shall form part of the records of the Superior Court at the place where they are held, or of the Circuit Court at such place, if the Superior Court be not held there.”

Proceedings in such matters to remain in archives of Superior Court.

**2.** All wills which have been admitted to probate in the manner indicated in the previous section, since the coming into force of the Civil Code, are declared to have been validly proved in the same manner as if the previous section had always been in force.

Probate of certain wills heretofore granted confirmed.

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

Coming into force.

## CAP. LVII.

### An Act to amend the Municipal Code.

[Assented to 9th January, 1897.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

**1.** Article 514 of the Municipal Code, as amended by the act 52 Victoria, chapter 54, section 6, is further amended: M. C., 514, amended.

(a). By striking out the words: “and maintenance,” in the first line :

(b). By adding the following paragraph at the end thereof :

“The council shall keep in proper repair the building used as a registry office, as well as its dependencies, in the same manner as a lessor is obliged by law to keep leased premises in repair.” Registry office.

**2.** The following article is added after article 520 of the said Code : Art. added after id. 520.

“**520a.** To fix at two inches and one-half at least and four inches at most the width of wheel tires of waggons carrying heavy loads, used by persons residing in the municipality, and to prohibit them from using any such waggons with wheel tires of a less width on municipal roads or on roads belonging to trustees of turnpike roads or others, in the municipality.” To fix width of wheel tires.