

CAP. XLII.

An Act to amend the Code of Civil Procedure, respecting appeals.

[Assented to 27th February, 1893.]

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

1. Article 1119 of the Code of Civil Procedure, as enacted by the act 54 Victoria, chapter 48, section 2, is replaced by the following : C. C. P., art. 1119, and 54 V., c. 48, s. 2, replaced.

“ 1119. If the appeal is from an interlocutory judgment, it must first be allowed by one of the judges of the Court of Queen’s Bench, upon a summary petition, supported with copies of such portions of the record as may be necessary to decide whether the judgment in question is susceptible of appeal, and falls within one of the cases specified in article 1116 ; but the judge before whom such application is made may, if he deems it advisable, refer it to the court then sitting, if the application is made during term, or may continue it to the first day of the next term, if it is made out of term. Allowance of appeal from interlocutory judgment how given.

The application must be made within the thirty days next after such rendering of the judgment, and cannot be received afterwards.” Delay to make application.

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

CAP. XLIII.

An Act to amend article 100 of the Municipal Code.

[Assented to 27th February, 1893.]

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

1. Article 100 of the Municipal Code is amended by adding thereto the following clause : M. C., art. 100, amended.

“ This article does not exclude the right of causing a resolution or *procès-verbal* of a municipal council to be set aside by the Superior Court ; provided that the costs incurred in the suit shall not exceed the costs and disbursements which would have been payable if the suit had originated in the Circuit Court.” Resolution, &c., may be set aside by Superior Court. Proviso as to costs, &c.