

2. No civil servant shall be superannuated unless the Treasury Board reports that he is eligible within the meaning of this section and that such superannuation will be in the public interest.” Report of Board.

3. Article 678 of the said Revised Statutes is amended by inserting at the commencement thereof the following words : “ Saving the provisions of article 678a.” R. S. Q. art. 678 amended.

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

## CAP. XVI.

An Act to amend the Quebec License Law, respecting the duty on sales by auction.

[Assented to 2nd April, 1890.]

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

1. Article 943 of the Revised Statutes of the Province of Quebec, as amended by the act 52 Victoria, chapter 15, is replaced by the following articles :

“ 943. The following property and effects need not be sold by a licensed auctioneer, and sales thereof by auction, are exempt from the duty mentioned in article 943b, to wit : R. S. Q. art. 943 as amended by 52V., c. 15, replaced.

The moveable and immoveable property of the Crown,—those sold by authority of justice,—those sold through confiscation,—those of a deceased person,—those belonging to any dissolution of community, or to any church, or which are sold at any bazar held for religious or charitable purposes, or sold for religious purposes, or which are sold in payment of municipal taxes under the Municipal Code or any other law regulating municipalities ; Certain property need not be sold by licensed auctioneer.

Moveable and immoveable property, grain and cattle, sold for non-commercial purposes by the inhabitants of the rural districts removing from the locality, and the property of minors sold by forced or voluntary licitation ;

Farm animals exhibited by agricultural societies at an exhibition and sold during the time of such exhibition.

“ 943a. The following property and effects sold by auction and outcry in this Province, and adjudged to the Certain property must be sold by

licensed auc-  
tioneer.

highest and last bidder therefor, must be sold by a licensed auctioneer, to wit :

All moveable and immoveable property, effects, goods, and stocks in trade, as well as the assets of a person who has made an assignment under the law respecting the abandonment of property.

Certain cura-  
tors may take  
auctioneer's  
license and  
sell certain  
property.

The curator to the property of any person who has made an abandonment of his property under the law may, however, himself sell such property at auction, by taking out an auctioneer's license.

Duty of one  
per cent on  
certain sales  
by auction.

“ **913b.** Sales by auction of immoveable property, and sales by auction of household furniture and effects in use, including therein pictures, paintings and books, under the preceding article, shall be subject to a duty of one per cent on the amount thereof, which duty shall be paid by the auctioneer to the Collector of Provincial Revenue out of the proceeds of the sale, at the cost of the seller, unless an express stipulation be made, in the conditions of sale, that such duty shall be paid by the buyer, in which case the duty shall be added to the price.”

C. C., art. 1565,  
and R. S. Q.  
5813 modified.

**2.** Article 1565 of the Civil Code, as it is contained in article 5813 of the said Revised Statutes, is modified in accordance with the provisions of this act.

Coming into  
force.

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

## CAP. XVII.

An Act to amend the Quebec License Law.

[Assented to 2nd April, 1890.]

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

R. S. Q., art.  
1074 amend-  
ed.

**1.** The following clause is added after paragraph 5 of article 1074 of the Revised Statutes of the Province of Quebec.

When applica-  
tion for *cer-  
tiorari*, &c.,  
may be made.  
Proceedings  
thereon.

“ The writ of *certiorari* or prohibition shall be applied for within fifteen days after the date of judgment, and the proceedings thereupon shall be summary and proceed from day to day.”