

Coming into force.

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

C A P . L V I I .

An Act to amend the Code of Civil Procedure, so as to permit the taking of evidence by stenography in *ex-parte* cases.

[Assented to 2nd April, 1890.]

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

C. C. P. art. 317 amended.
Evidence in *ex-parte* cases may be taken by stenography.

1. Article 317 of the Code of Civil Procedure is amended by adding thereto the following : “ and the evidence may be taken by stenography, in conformity with articles 320*a* and 320*b*, as added by article 5888 of the Revised Statutes of the Province of Quebec.

C A P . L V I I I .

An Act to amend article 556 of the Code of Civil Procedure, respecting the seizure of moveables, as contained in article 5917 of the Revised Statutes of the Province of Quebec and amended by the Act 52 Vict., chap. 50.

[Assented to 2nd April, 1890.]

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

C. C. P., art. 556 § 6, and R. S. Q. 5917 amended.

Sewing machine.

1. Paragraph 6 of article 556 of the Code of Civil Procedure, as contained in article 5917 of the Revised Statutes of the Province of Quebec, is replaced by the following :

“ 6. One sewing machine.”

C. C. P., art. 556, § 8, replaced, and 52 V., c. 50, s. 3, amended.

Certain articles &c. enumerated as exempt from seizure.

2. Paragraph 8 of the said article, replaced by the Act 52 Victoria, chapter 50, section 8, is replaced by the following :

“ 8. One span of plough horses or a yoke of oxen, one horse, one summer vehicle and one winter vehicle, and the harness used by a carter or driver for earning his livelihood, one cow, two pigs, four sheep, the wool from such sheep, the cloth manufactured from such wool, and the hay and other fodder intended for feeding the said animals; further, the following agricultural tools and implements : one plough, one harrow, one working sleigh,

one tumbril, one hay-cart with its wheels, and all harness necessary and intended for farming purposes.”

C A P. L I X .

An Act to amend articles 621, 624 and 631 of the Code of Civil Procedure respecting seizures after judgment.

[Assented to 2nd April, 1890.]

WHEREAS it is expedient to amend articles 621, 624 Preamble. and 631 of the Code of Civil Procedure, concerning attachment after judgment;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. The first paragraph of article 621 of the Code of Civil C. C. P., art. 621 amended Procedure is amended so as read as follows:

“ If the declaration of the garnishee is not contested, and he has not declared that any other seizure has been made in his hands, the court, upon an inscription for judgment, by either party, orders him to pay to the seizing party on account, or to the extent, of his debt, the moneys seized, according to their sufficiency. ” Proceedings if declaration of garnishee not contested.

2. Article 624 of the said Code is amended by adding the C. C. P., art. 624 amended. following after the first paragraph thereof:

“ If the seizing party fails to proceed against such garnishee, the party seized upon may obtain the dismissal of the seizure, with costs against him; or he may inscribe the case for judgment by default against the garnishee, and execute it in the name of the seizing creditor ”; Proceedings if seizing party fails to proceed.

3. Article 631 of the said Code is amended to read as C. C. P., art. 631 replaced. follows:

631. “ If a garnishee declares that he is not indebted and he cannot be proved to be so, the court, on motion of the garnishee or of the party seized upon, orders him to be discharged from the seizure, and condemns the seizing party to pay the costs. ” Proceedings if garnishee declares that he is not indebted.
