

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 Procedure is amended so as read as follows: C. C. P., art. 621 amended

“ 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 following after the first paragraph thereof: C. C. P., art. 624 amended.

“ 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 follows: C. C. P., art. 631 replaced.

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.
