

Powers of other
creditors to
offer increase.

Proviso.

Right of pur-
chase to keep
immovable at
highest bid.

711e. Any other creditors of the company, and any other persons having hypothecary or real rights upon the immovable sold, may in like manner, and under the same conditions, outbid upon the first increase and may continue outbidding each other, provided that such subsequent increased bid be not less than twentieth of the purchase price, over and above the costs and lawful expenses.

711f. The purchase may however keep and retain the immovable at the amount of the highest bid legally offered."

C A P. X X I I I .

An Act to amend article 1054 of the Code of Civil Procedure, as amended by section 9 of the act 34 Victoria, chapter 4, section 31 of the act 35 Victoria, chapter 6, and section 9 of the act 47 Victoria, chapter 8, and also article 68 of the Code of Civil Procedure.

[Assented to 9th May, 1885.]

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

C. C. P. art.
1054, further
amended.

1. Article 1054 of the Code of Civil Procedure, as amended by the act 34 Victoria, chapter 4, section 9, the act 35 Victoria, chapter 6, section 31, and the act 47 Victoria, chapter 8, section 9, is further amended by adding, after the word "Sherbrooke" in the last line of said section 9 of the act 47 Victoria, chapter 8, the words "and in the city of St. Hyacinthe, the town of St. Germain de Rimouski, the village of Arthabaskaville, and the town of St. Johns."

Certain suits
not to be
within juris-
diction of
Circuit Court.

2. In consequence of the preceding amendment, all appealable cases commenced in the Circuit Court sitting in the city of St. Hyacinthe, the town of St. Germain de Rimouski, the village of Arthabaskaville and the town of St. Johns, in which judgment has not been rendered, shall, from the date of the passing of this act, cease to be within the jurisdiction of such Circuit Court.

Proceedings
to be taken in
Superior Court.
Transfer of
records, &c.

3. The proceedings to be taken and judgments to intervene shall be taken and rendered before the Superior Court; and the books, archives and records of the Circuit Court, respecting any such case, shall, immediately after the coming into force of this act, belong to the Superior Court, and shall be thereto transmitted within a short delay.

4. Subsection *b* of section 2 of the act 47 Victoria, 47 V., c. 8, s. chapter 8 is amended by adding after the words "St. Francis," in the first and third paragraphs thereof, the words "and St. Hyacinthe." 2, § b. amended.

5. Article 68 of the said Code of Civil Procedure is amended by adding thereto the following paragraph: C. C. P. art. 68, amended.

"The order need not be published at length, but may be in the form annexed to this act." Form of order calling in defendant.

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

FORM OF ORDER UNDER ARTICLE 63.

PROVINCE OF QUEBEC, }
District of } In the Court.
W. S. of the (*residence and occupation*),
Plaintiff,
J. I. of the (*residence and occupation*),
Defendant.

The defendant is ordered to appear within two months.

(*Date.*)

A. B.,
P. S. C., or C. C. C.

C A P . X X I V .

An Act to amend article 1323 of the Code of Civil Procedure.

[*Assented to 9th May, 1885.*]

WHEREAS doubts have arisen as to the interpretation Preamble.
to be given to articles 1323 of the Code of Civil Procedure and 663 of the Civil Code, and whereas the Code of Civil Procedure seems to be in contradiction with article 663 of the Civil Code; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

1. Article 1323 of the Code of Civil Procedure is repealed C. C. P. art. 1323, replaced.
and replaced by the following: