

CAP. XXIV.

An Act to amend the Act respecting Trusts, and the Act defining the investments to be made by administrators. (42-43 Victoria, chapters 29 and 30.)

[Assented to 30th March, 1883.]

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

42-43 V., c. 29,
s. 10, amended.

1. Section 10 of the Act 42-43 Vict., chap. 29 is amended, by striking out, in the thirteenth and fourteenth lines, the words : " valued on the municipal valuation roll at double the amount of the investment," and by substituting in lieu thereof the words : " to an amount not exceeding three-fifths of the municipal valuation of such real estate. "

42-43 V., c. 30,
s. 1, amended.

2. Section 1 of the Act 42-43 Vict., chap. 30 is amended, by striking out, in the sixth line, the word : " permanent ; " and by adding, after the word " debentures " in the sixth and seventh lines, the word : " or in municipal stock or debentures ; " and by striking out, in the tenth and eleventh lines, the words " valued in the municipal valuation roll at double the amount of the investment," and by substituting in lieu thereof the words : " to an amount not exceeding three fifths of the municipal valuation of such real estate. "

Act in force.

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

CAP. XXV.

An Act to amend the Act 44-45 Victoria, chapter 16, to extend the delay for registering the customary dowers and servitudes mentioned therein and to provide for a more efficient publication of the said Act.

[Assented to 30th March, 1883.]

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

44-45 V., c. 16,
amended and
delay for re-
gistration
thereunder ex-
tended.

1. The act 44-45 Vict., chap. 16, is amended in such manner that the delay of two years, mentioned therein, for effecting the registration of customary dowers, created before the first of August, one thousand eight-hundred and sixty six, as well as real, conventional, discontinuous and

unapparent servitudes, created before the coming into force of the said statute, shall be extended to the first day of May, one thousand eight hundred and eighty four.

2. The registrars, prothonotaries of the Superior Court, or clerks of the Circuit Court, to whom the government shall have transmitted a copy thereof, shall post or cause to be posted up in a conspicuous place in their respective offices, the schedule to the act 44-45 Vict., chap. 16, adding at the foot thereof the schedule to this act, and shall keep them so posted up until the first day of May, one thousand eight hundred and eighty four.

Posting and publication of Schedule to act by registrars and prothonotaries, &c.

The prothonotaries or clerks shall also read aloud these schedules on the first day of each term of the Superior or Circuit Court, from the date of the reception thereof until the first day of May, one thousand eight hundred and eighty-four.

Idem.

3. City-clerks and secretary-treasurers of towns, villages or other municipalities in this Province, to whom the government shall have transmitted a copy of the act 44-45 Vict., chap. 16, with its schedule, as well as of this act also with its schedule, shall each and every of them, read out the same, at the first meeting of their respective councils which shall follow the reception thereof, and shall make a special entry in the minutes of such meeting, certifying that such acts have been duly read.

Publication thereof by city clerks, &c.

The said officers shall also, during the month of July next, one thousand eight hundred and eighty three, and in the manner provided for the publication of ordinary municipal by-laws, read or cause such acts to be read, and post up or cause to be posted up the schedule to the act 44-45 Vict., chap. 16, adding at the foot thereof the schedule to this act.

Idem.

Such publication shall be certified under oath by the person who shall perform the same and his certificate, annexed to the act, which he shall have so read and posted up, shall be filed with the council of the municipality to whom it may appertain, in order that it may form part of its archives.

Proof of such publication.

4. Such of the officers, above mentioned, as shall refuse or neglect to publish this act, shall, upon conviction of such refusal or neglect before a court of competent jurisdiction, be condemned to a fine of twenty dollars or imprisonment of fifteen days in default of payment.

Penalty for refusing to make such publication.

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

Act in force.

SCHEDULE.

The delay, above granted by the act 44-45 Vict., chap. 16 for the enregistration of the customary dowers and servitudes therein mentioned, is, in virtue of the act 46 Vict., chap. 25 extended to the first day of May, 1884.

CAP. XXVI.

An Act to amend the Code of Civil Procedure.

[Assented to 30th March, 1883.]

Preamble.

WHEREAS it is expedient to amend the Code of Civil Procedure, so as to accelerate the decision of cases and to diminish costs; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Every juridical day a term day.
Exception.

1. Every juridical day shall be deemed to be a term day, except for the trial of cases in which the principal demand is inscribed :

1. For proof only ;
2. For proof and hearing.

Days already fixed.

The days, already fixed in any district for proof or proof and hearing, shall remain set apart for the same object, except that these days may be, from time to time, changed, according to the manner now by law established.

Application of section.

This section applies to cases in the Superior and Circuit Courts.

Trial of contested cases.

2. All contested cases, inscribed for proof and final hearing, either in the Superior Court or in the Circuit Court, appealable, shall be tried in the presence and under the direction of the Court, and evidence in all such cases shall be taken by official stenographers, who shall be appointed by the Councils of Sections of the Bar, upon the report of a committee of examiners appointed by such council.

Evidence to be taken by official stenographers.

Their number and remuneration.

The councils of sections shall have power to fix the number and remuneration of such stenographers.

Stenographers officers of courts and payment hereof.

The official stenographers shall be officers of the Court, and shall be paid from a fund provided by means of fees, to be exacted from the party producing the evidence.