

the penalties incurred by reason of their contravention of the above mentioned acts, and that it in no manner affects pending cases and vested rights of third parties.

2. This act shall come into force on the day of its Act in force. sanction.

## C A P. X X X I I .

An Act to amend the Act 42-43 Victoria, chapter 37, respecting the profession of Medecine and Surgery.

[Assented to 27th May, 1882.]

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

1. The tariff of rates, made by the provincial medical board, approved by the lieutenant-governor in council on the fourth day of May, one thousand eight hundred and eighty-one, and published in the *Quebec Official Gazette* on the twenty first day of May, one thousand eight hundred and eighty-one, is hereby repealed for all parts of the province, and shall no longer be in force. Certain tariff of fees of medical Board, repealed.

2. Section 2 of the Act 42-43 Victoria, chapter 37, is amended by adding at the end thereof the following paragraph: 42-43 Vict., cap. 37, sec. 2 amended.

"The said corporation shall have two places of business, one office, in the city of Quebec and the other in the city of Montreal, which shall be in the office of the secretaries of the college appointed in virtue of article 1 of chapter 2 of its statutes, by laws and regulations. Places of business of corporation.

"Service upon the said company shall be effected at either of such offices indifferently, by speaking to a person employed therein and in all proceedings the domicile of the corporation shall be sufficiently designated by the following words: "having a place of business in each of the cities of Quebec and Montreal." Where services shall be effected.

3. Section 6 is amended, by adding, at the end thereof the following words: "and unless it be enregistered in accordance with the provisions of this act." Id. sec. 6 amended. Registration required.

4. Section 15 is amended, by adding at the end thereof the following words: "and the last during the fourth year of study, and the candidate shall undergo an examination on the final subjects of the curriculum, at the end of the session in his fourth year of study." Id. sec. 15 amended. Provisions as to examination.

Id. sec. 22  
amended.

5. Section 22 is amended by adding after the words: "to be registered," in the eleventh line, the words: "and is obliged to cause himself to be so registered," and by striking out, at the end of the said section the words: "provided always that he so registers within one year after the passing of this act."

Id. sec. 23 re-  
placed.

6. Section 23 is repealed and replaced by the following:

Effect of ne-  
glecting to en-  
register.

"23. Any person required or entitled to be registered under this act and who shall neglect or omit to be so registered, shall not be entitled to practise medicine, surgery, midwifery or to claim any of the rights and privileges conferred by this act, and shall be liable to all the penalties imposed by this act or by any other act, upon any person practising medicine, surgery or midwifery, without being registered as required by the said acts."

Id. sec. 28  
amended.

7. Section 28 is amended by striking out all the words commencing with the words: "for hire" to the end of the first sub-section and by replacing them by the following: "for hire, for money, goods or effects generally, whatsoever or in the hope of receiving any money, goods or effects, in the hope of a reward (or who shall receive any reward whatsoever), shall for practising medicine, surgery or midwifery, incur a penalty of fifty dollars."

The said section is further amended by striking out the words: "not less than twenty-five dollars nor exceeding one hundred dollars," in the second sub-section, and the words: "not less than twenty-five nor more than one hundred dollars," in the third sub-section, and by replacing them, in both sub-sections, by the words: "fifty dollars."

Id. sec. 28,  
sub-sec. 5, § 1  
replaced.

8. The first paragraph of the fifth sub-section of the said section 28 is repealed and replaced by the following:

Method of re-  
covering pe-  
nalties.

"The penalties imposed by this act may be recovered by an ordinary civil suit, in the name of the "College of Physicians and Surgeons of the Province of Quebec," before any circuit court of the county or of the district, in which the defendant is domiciled, or in which the offense was committed; and the court, if the proof is sufficient, may condemn the defendant to pay a penalty of fifty dollars, in addition to the costs, within a delay which it shall determine, and to an imprisonment of sixty days in the common gaol of the district, in default of his paying the amount of the judgment within such delay.

The warrant of imprisonment, in such cases, shall issue under the hand of the clerk of the said court, on a written application of the attorney *ad litem* of the prosecutor, and may, *mutatis mutandis* be according to form (O 1), in the schedule to the Federal Act, 82-33 Victoria, chapter 31, and shall be executed in the usual way.

Issue of warrant of imprisonment.

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

### C A P . X X X I I I .

An Act to amend article 494 of the Code of Civil Procedure of Lower Canada.

[Assented to 27th May, 1882.]

**W**HEREAS it is unjust to deprive parties of the right of review, before three judges of the Superior Court, in certain cases in which the rights of municipal corporations and of the persons under their administration are in question: Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Preamble.

1. The following paragraph is added to the five paragraphs of Article 494 of the Code of Civil Procedure of Lower Canada.

§ 6 added to Art. 494 of the Code.

"6. From all judgments concerning municipal corporations and municipal offices, on proceedings taken in virtue of chapter 10 of this Code."

Review of certain judgments.

2. The following words: "If the review is taken in virtue of paragraph 6 of article 494," are inserted in article 497, in the seventh line of the said article, after the word: "dollars" and before the word: "or," so as to amend the article, as follows:

Art. 497 amended.

"This review cannot be obtained, until the party demanding it has deposited, in the office of the prothonotary of the court which rendered the judgment, and within eight days from the date of such judgment, a sum of twenty dollars, if the amount of the suit does not exceed four hundred dollars, or of forty dollars if the amount of the suit exceeds four hundred dollars, if the review is taken in virtue of paragraph 6 of article 494, or if it be a real action; together with an additional sum of three dollars for making up and transmitting the record, when the judgment has been rendered elsewhere than in the cities of Quebec and Montreal.

Deposit to obtain review.