

Proviso.

council may establish ; which by-law must before coming into force and effect, be approved by the electors of the said county, and by the Lieutenant Governor in Council, in the manner provided in sections 1 and 2, of the sixth chapter, of the first title, of the second book, of the municipal code, of this province.

Art 1355, C. C. P. L. C., amended in consequence.

9. Article 1355, of the code of civil procedure of Lower Canada, is amended so as to include the district of Pontiac, among the districts of this province.

CAP. VIII.

An Act to further amend the Act respecting Judicial and other Deposits.

[Assented to 24th July, 1880.]

SS. 4 and 5 of 35 V. c. 5, and S. 1 of 36 V., c. 14, replaced.

Certain officers shall deposit sums \$100 and over, and produce receipt.

Sheriffs shall deposit sums of \$100 and over, and produce receipt.

Deposit of sums less than \$100.

Such officers are agents of the treasurer for the pur-

1. Sections 4 and 5 of the act, 35 Vict., chap. 5, and section 1 of the act, 36 Vict., chap. 14, are repealed and replaced by the following provisions :

“Every clerk of appeals, prothonotary of the superior court, clerk of the circuit court or of a district magistrates’ court, who, in his official capacity, shall have received, himself, or by his deputy, as a judicial or other deposit, any sum of one hundred dollars or over, shall immediately deposit such sum to the credit of the treasurer of the Province, in such bank or other monetary institution, as shall be indicated by the said treasurer, and shall file in the record of the case or of the proceedings, in which he has received the said sum, the deposit receipt of such bank or other monetary institution.

Every sheriff, who, in his official capacity, shall have himself, or by his deputy, received, either as the price of a judicial sale or otherwise, a sum of one hundred dollars or over, shall immediately deposit such sum, to the credit of the treasurer of the Province, in such bank or other monetary institution, which shall be indicated by the said treasurer, and shall, without delay, file in the office of the prothonotary or clerk, the deposit receipt of the said bank or other monetary institution.

As to sums less than one hundred dollars, which shall be received as aforesaid, by the said officers, they shall be deposited in the manner aforesaid, so soon as they shall amount to an aggregate sum of one hundred dollars or over.

Such officers shall, from the mere fact of holding such offices, be agents of the treasurer of the Province for the purposes of the said act, 35 Vict., chap. 5, and its amend-

ments. Any payment made to them, under the said act and its amendments, shall be deemed to be made to the treasurer of the Province, and all persons who are entitled to draw such sums or securities, deposited under the said act, shall have the warranty of the Government of the Province for the payment to them of such sums or securities.”

poses of
35 V. c. 5.

2. It shall be the duty of the said clerks of appeals, prothonotaries of the superior court, clerks of the circuit court or of the magistrates' court, and sheriffs, who now hold in their hands, moneys which they would be obliged to deposit, if they had received them, after the coming into force of the present act, to deposit the same in the manner aforesaid, one month after the coming into force of the present act, subject to the consequences and under the penalties hereinafter enacted.

Duty of officers
who have
moneys to
deposit, after
the coming
into force of
this act.

3. Sections 19, 20 and 21 of the said act, 35 Vict., chap. 5, are repealed.

SS. 19, 20 and
21 of
35 V. c. 5,
repealed.

4. Section 25 of the said act, 35 Vict., chap. 5, is repealed and replaced by the following :

S. 25 of 35
V., c. 5,
replaced.

“ 25. Every public officer, who shall fail to comply with the provisions of this act or of the acts amending the same, may be deprived of his office, and shall, moreover, incur a penalty not exceeding two hundred dollars, which shall belong to the province, and shall be recovered in the name of the Crown, by an action for debt before a court which is competent to take cognizance of an action of debt for such amount; and in default of payment of the fine, the officer, who shall be condemned to pay the same, may be imprisoned in the common gaol for a period not exceeding three months.”

Responsibility
of officers
failing to
comply with
this act.

5. It shall be the duty of the treasurer to see that the expenses, connected with the carrying into effect of the judicial and other deposits' acts and amendments, shall not exceed the interest or profit accruing to the treasury, from the moneys deposited in virtue of the said acts, and all the said expenses shall be deducted from such interest or profit, by the treasurer, and the balance, if any, and any balance of interest, now in the treasury, shall be transferred to the Consolidated Revenue Fund of the province and form part thereof.

Expenses
respecting
judicial
deposits.

6. It shall be lawful for the treasurer of the Province, upon deposits made in the treasury department, in sums under one hundred dollars, upon a certificate from the prothonotary or clerk of the court, stating that the

Sums may be
paid out of
deposits of
sums under
\$100.

treasurer pay such deposits in whole or in part, for him to do so, except in cases wherein judgment of distribution is rendered.

Act in force. **7.** This Act shall come into force on the day of the sanction thereof.

CAP. IX.

An Act to amend and consolidate the different Acts therein mentioned in reference to Stamps.

[Assented to 24th July, 1880.]

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

Meaning of words :
"revenue"
and "revenue officer."

1. The words : "revenue" and "revenue officer," in this act, have the meanings and extent assigned to them in the treasury department act.

27-28 V. c. 5.

2. The words : "stamps" or "stamp" or "stamped paper," refer to, and include all stamps or stamped paper, issued in respect to matters, subject to the control of this legislature, under chapter five of the statutes of the late province of Canada, passed in the session held in the twenty-seventh and twenty-eighth years of Her Majesty's Reign, and intitled : "An Act for the collection by means of stamps, of fees of office, dues and duties payable to the Crown upon law proceedings and registrations",—or under this act or any act of this legislature,—or under any order in council of the governor of the said late province, or of the Lieutenant Governor of this province, founded on or recognized by the said acts or any thereof.

Application of words :
"duties"
and "duty."

3. The words : "duties" or "duty," refer to, and include all fees, dues, duties, taxes and charges, in respect of matters, subject to the control of this legislature, and which, under the term : "fees," or otherwise, are within the purview of the said act of the late province of Canada,—and all money payments, which, under any act, order in council, or other authority, are due or payable to or through any public department or officer, by reason of any matter, subject to the control of this legislature, and which, under any act or order in council, are or may be collected or paid by means of stamps,—and all revenue whatever which, under any act or order in council, is or may be so collected or paid ;