

5. The present act shall, in so far as it shall apply, <sup>This act forms part of</sup> form part of the act respecting the interpretation of the <sup>31 V. c. 7.</sup> statutes of this Province, 31 Vict., Chap. 7.

6. Nothing in this act shall apply to any objections <sup>Pending cases.</sup> already raised before the Courts in any case now pending.

7. The present act shall come into force on the day of <sup>Act in force.</sup> its sanction.

## C A P . X X .

An act to amend article 49 of the Code of Civil Procedure.

[Assented to 31st October, 1879.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. Article 49 of the Code of Civil Procedure is amended <sup>Art. 49 c.c. p. amended.</sup> by adding to the second paragraph thereof, the following words :

“ If the defendant has no domicile or permanent residence in this province, the mention of his surname alone will suffice, if his christian name cannot be ascertained, provided he be otherwise sufficiently designated in the writ and that such writ be served upon him personally.”

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

## C A P . X X I .

An act to amend article 1068 of the Code of Civil Procedure with respect to the service and execution of certain writs issued out of the Circuit Court in certain cases.

[Assented to 31st October, 1879.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The following paragraph is added to article 1068 of <sup>§ added to art. 1068, c.c. p.</sup> the code of civil procedure :

“ Any writ of summons, subpœna or writ of execution,

Cost of service in certain cases.

issued out of any circuit court, in any county in this province, may be served by any bailiff residing in the judicial district in which said county is situate, but no more costs and emoluments for serving or executing such writ, shall be allowed or taxed against any defendant, than would have been allowed had such writ or subpoena been served by the bailiff residing nearest to the residence of the defendant; provided nevertheless in any case in which the plaintiff establishes to the satisfaction of the clerk of the court, or the judge exercising jurisdiction in the district in which such writ issues, that such writ or subpoena should be addressed to and executed by some other bailiff, it may be so addressed and executed; in which case the costs to be taxed against the defendant or other person, shall be taxed as from the residence of such bailiff, and for the distance actually travelled by him.

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

## C A P . X X I I .

An act to amend the Municipal Code of the Province of Quebec.

[Assented to 31st October, 1879.]

**H**ER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows : .

Art. 37a M.C. as amended 1 V. c. 18 s. and 41-42 V. c 10, s. .2, amended **1.** Article 37a of the municipal code as amended by 41 Vict., chap. 18, section 3, and 41-42 Vict, chap. 10, section 2, is amended by adding after the word: "territory," in the seventh line of the first paragraph of said article, the words: "and by a majority of the electors of the remaining portion of the said municipality."

A in force. **2.** The present act shall come into force on the day of its sanction.