

## CAP. XI.

An Act to add certain provisions to the Code of Civil Procedure, in relation to writs of attachment by Garnishment, issued by the Commissioners' Court.

[Assented to 28th January, 1874.]

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

Articles added  
to the code of  
civil pro-  
cedure.

1. After article 1192 of the code of civil procedure, in relation to the commissioners' court for the summary trial of small causes, the following articles shall be added :

" **1192a.** In the case of attachment by garnishment before or after judgment, the garnishee, within three days after the writ of seizure has been served upon him, may make his declaration under oath before the clerk of the circuit court nearest to the place where the writ was served upon him."

" **1192b.** Such clerk is authorized to administer the oath required, and must, after having drawn up and received the declaration of the garnishee, forward the same without delay through the post by a registered and stamped letter, to the clerk of the commissioners' court where the cause is pending.

He is entitled to a fee of one dollar, payable by the garnishee, for drawing up, receiving and forwarding the declaration as required ; and on the payment of such fee, he prepares a receipt which he forwards with the declaration of the garnishee."

" **1192c.** Such sum of one dollar is taxed by the commissioners or by their clerk, as an integral part of the costs of suit ; and the receipt given therefor and forwarded to the clerk of the commissioners' court, is equivalent to a judgment of such court in favor of the garnishee against the plaintiff in the suit, and may be executed by seizure, after the same delay, and in the same manner as any other judgment of such court."

