

reference to whether such animals were, as between their owners and the public, lawfully on the highway.—*Pontiac Pacific Junction Ry. Co. & Brady*, Dorion, C. J., Tessier, Cross, Baby, Doherty, J J. (Cross, J. diss.), Sept. 22, 1888.

#### QUEBEC LEGISLATION—1889.

##### CAP. 10.

#### An Act to amend the Quebec Controverted Elections' Act.

[Assented to 21st March, 1889.]

Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:—

1. The following subsection is added after subsection 8 of section third of chapter third of title second of the Revised Statutes of the Province of Quebec:

##### § 8a.—*Appeals.*

"553a. An appeal to the Court of Queen's Bench sitting in appeal may be taken from any judgment which declares that any person or persons has or have committed any corrupt practice, whereby such person or persons is or are deprived of the right of being elected to and of sitting in the Legislative Assembly, of voting at any election of a member of that House, and of holding an office in the nomination of the Crown or of the Lieutenant-Governor.

The appeal from any such judgment shall be to the Court of Queen's Bench sitting in appeal at Montreal, if it was rendered in a district whence, in virtue of the Code of Civil Procedure, cases are taken in appeal to Montreal, and to the Court of Queen's Bench sitting in appeal at Quebec, if it was rendered in a district whence, in virtue of the said code, cases are taken in appeal to Quebec."

"553b. Such appeal shall be taken, in a summary manner, by means of an inscription in appeal, signed by the appellant in person or by his attorney, filed in the office of the prothonotary of the district in which the judgment was rendered, within fifteen days after the rendering thereof, together with a deposit of the sum of two hundred dollars as security for costs, and a further sum of twenty dollars for making up and transmitting the record.

So soon as the said inscription and deposit have been made, the prothonotary who received the same shall remit the record to the Court of Queen's Bench, in the usual manner prescribed by the Code of Civil Procedure.

Within the said fifteen days after the rendering of the said judgment, the appellant shall serve a notice of the inscription in appeal upon the parties to the case affected by the said appeal and file the same in the office of the clerk of the Court of Queen's Bench.

If the evidence was printed for the purposes of the case in the court below, such printed evidence will suffice for the appeal, provided ten copies at least are produced.

If the evidence was not printed for the purposes of the case in the court below, the parties shall be obliged to print only so much of the evidence as refers to that issue of the case respecting which the appeal is brought, and for that purpose they shall, ten days after the inscription in appeal, apply, after notice, to one of the judges of the Court of Queen's Bench in Chambers, and have him select the evidence that is to be printed.

Printed factums shall be produced by the parties as in ordinary appeals to the Court of Queen's Bench, within fifteen days after the filing of the said inscription.

"553c. Appeals under this subsection shall have precedence over all other cases.

2. Any person who, since the 27th day of May, 1882, date of the coming into force of the Act 45 Victoria, chapter 6, has been, by a judgment rendered upon a controverted election petition, declared guilty of a corrupt practice and been deprived, as set forth in section 1, may avail himself of the right of appeal granted by this Act, provided the inscription and deposit above-mentioned be made within thirty days after its coming into force.

Upon such appeal taken under this section, the respondent has no costs to bear, whatever be the judgment in appeal.

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

##### CAP. 11.

#### An Act to amend the Controverted Elections Act.