



## CHAPTER 10.

## An Act to amend the "Court of Appeal Act."

R.S.B.C. 1936, c. 57;  
1938, c. 11.

[Assented to March 18th, 1943.]

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. This Act may be cited as the "Court of Appeal Act Amendment Act, 1943." Short title.

2. Section 23 of the "Court of Appeal Act," being chapter 57 of the "Revised Statutes of British Columbia, 1936," is amended by adding the words "Any party dissatisfied with the decision of the Registrar of the Court appealed from on the settlement of the appeal-book, may appeal therefrom to a Judge of the Court appealed from at Chambers; and the procedure under Marginal Rule 754 of the Supreme Court Rules mutatis mutandis shall apply to the appeal." Amends s. 23.

3. Section 25 is amended by numbering the present section as subsection (1), and adding the following as subsection (2):—

"(2.) Where one of the Judges who heard the argument in any case dies before judgment is delivered by the Court, without having handed his opinion to any Judge as provided in subsection (1), or by reason of sickness or other cause is incapacitated from giving his opinion in the case, the remaining Judges shall, notwithstanding the provisions of section 11, be deemed to constitute the Court for the purpose of delivering judgment in the case."

VICTORIA, B.C. :

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