

Article 420 as a corollary of the provisions contained in Art. 420.
article 374 is also given as actual law.

This chapter contains provisions respecting the termination of the suit before final judgment. It consists of five sections, four of which treat respectively of continuance of suits, of the decisory and suppletory oaths, of discontinuance, of peremption, and the last contains miscellaneous provisions which could not be properly placed elsewhere.

Ch. 8. Other incidental proceedings.
Arts. 433 to 470.

All these rules are given as actual law.

This chapter, divided into two sections which treat respectively of judgment upon the merits and of costs, requires no special observations, as it contains no new rule except that given in the last article. This article settles the manner of obtaining distraction of costs upon which the practice has not been uniform, and declares that distraction must be demanded before judgment.

Ch. 9. Final judgment.
Arts. 471 to 484.

The second title treats of remedies against judgments. These are four in number and form the subject of the four chapters of the title, namely: revision, either by one judge in cases of judgment by default or by three judges in other cases; petitions in revocation; oppositions by third parties; and appeals. The chapter relating to the latter remedy consists of but one article referring to the fourth book, which is devoted to the Court of Queen's Bench sitting in appeal.

Title II. Remedies against judgments.
Arts. 485 to 513.

Ch. 4. Appeals.

The articles comprised in the two sections of this chapter merely reproduce, in the one, the provisions of the Consolidated Statutes, and in the other, those of the 27 and 28 Vict. c. 39. One amendment only is suggested, at article 496, for the purpose of allowing the same revision in cases of judgments and orders given by a judge in the summary matters comprised in the third part of this code, which are now subject to the revision of one judge.

Ch. 1. Revision.

Art. 496.

The Commissioners have considered this remedy as still subsisting under our system in cases where no appeal lies or where the right of appeal no longer exists. They have not recognized it however in all the cases admitted by the ordinance of 1667, in many of which under our system an appeal lies. With these restrictions, petitions in revocation are an extreme remedy and to prevent its abuse, the Commissioners have inserted article 510, similar to article 16 of title 35 in the ordinance, requiring the deposit of a sum of money, which the court may award to the opposite party in the event of the petition being dismissed.

Ch. 3. Revocations of judgment.
Arts. 503 to 512.

Art. 540.

The remedy here given to persons who were not parties to the suit against judgments which affect their interests is in conformity with the ancient law and needs no remark.

Ch. 2. Oppos. by third parties.
Arts. 505 to 507.

Judgments which have become final may be executed by the party condemned, if he complies with them, otherwise they may be enforced by the means explained in this title, which is divided into two chapters treating, the one of voluntary, and the other of forced execution.

Title III. Execution of judgments.

This chapter is composed of four sections which treat of putting in security, of accounting, of surrender, and finally of tender and payment into court. All its provisions are in conformity with the ancient law and require no observations.

Ch. 1. Voluntary execution.
Arts. 514 to 544.

This chapter is divided into five sections. The first contains provisions as to the persons against whom forced execution may take place, and the second relates to execution in real actions. These two sections call for no remark. The three other sections

Ch. 2. Forced execution, Sec. 1. General provisions.
Arts. 545 to 548.