

A N A C T

Respecting the Code of Civil Procedure of Lower Canada.

(29-30 Vict., Chap. 25.)

WHEREAS the Commissioners appointed under the second Chapter of the Consolidated Statutes for Lower Canada, to codify the Laws of that division of the Province in Civil Matters, have completed that portion of their work mentioned in the said Act as the *Code of Civil Procedure of Lower Canada*, embodying therein such provisions only as they hold to be now actually in force, and giving the authorities on which they believe them to be so, and have suggested such amendments as they think desirable, stating such amendments separately and distinctly, with the reasons on which they are founded ; and have in all respects complied with the requirements of the said Act as regards the said Code and amendments ; and whereas the said Code with the amendments suggested by the said Commissioners, has by command of the Governor been laid before the Legislature in order that the said Code with such amendments as may be adopted by the Legislature, may be made law by enactment ; And whereas such of the amendments suggested by the Commissioners and such other amendments as are mentioned in the resolutions contained in the Schedule hereunto annexed, have been finally agreed to by both Houses : Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

1. The printed roll attested as that of the said *Code of Civil Procedure of Lower Canada*, under the signature of His Excellency the Governor General, that of the Clerk of the Legislative Council, and that of the Clerk of the Legislative Assembly, and deposited in the office of the Clerk of the Legislative Council, shall be held to be the original thereof reported by the Commissioners as containing the existing law without amendment ; but the marginal notes, and the references to existing laws or authorities at the foot of the several articles of the said Code, shall form no part thereof, and shall be held to have been inserted for convenience of reference only, and may be omitted or corrected.

2. The Commissioners under the Act mentioned in the preamble of this Act, shall incorporate the amendments mentioned in the resolutions contained in the schedule to this Act, with the said Code of Civil Procedure as contained in the roll aforesaid, adapting their form and language (when necessary) to those of the said Code, but without changing their effect,