

In case of non-appearance, judgment may go by default.

VI. If the defendant shall not appear, or if he shall appear without denying the debt, the plaintiff may inscribe his cause for judgment by default.

In case of admission, judgment as by confession.

VII. On the appearance of the defendant and his admission of the debt, the plaintiff may inscribe the cause for judgment as on a confession of judgment. 5

Upon denial without defence, *enquête ex parte* after foreclosure.

VIII. On the appearance of the defendant and his denial of the debt without producing any defence, the plaintiff may after foreclosure, inscribe his case for *enquête ex parte* if such *enquête* be necessary.

Two days allowed for answer to defence; in default, foreclosure without placing *en demeure*.

IX. On the production of the defence, the plaintiff shall be allowed a 10 delay of two days to answer or reply; and the same delay of two days shall be allowed for the production of any pleading necessary for the joining of issue, and at the expiration of such delays the party in default shall be foreclosed without being called upon or placed *en demeure* to plead. 15

*Enquêtes* on all Juridical days.

X. All juridical days of the year shall be *enquête* days in commercial matters; the *enquêtes* shall be proceeded with in the same manner as in ordinary matters, if they take place during the *enquête* terms by law established; except that such *enquêtes*, instead of being fixed or continued from one term to the other, may be continued to any juridical day; the delays 20 now allowed being followed and being at the discretion of the Judges; and if they shall take place out of the ordinary *enquête* terms they shall be proceeded with before the Clerk of the Court who shall reserve any objections which may be made.

Inscription for *enquête*.

XI. In contested or *ex parte* cases two days' notice of inscription for 25 *enquête* shall be a sufficient delay.

In case of *enquête* out of *enquête* terms.

XII. In contested cases in which the *enquête* shall be proceeded with out of the ordinary *enquête* term, the Clerk shall have the same powers as the Judges as regards the depositions of witnesses, the foreclosure of parties, the closing, fixing and continuing of *enquêtes* and all other incidents 30 relative to the holding of *enquêtes*; with the exception, however, of objections, which shall be reserved as above provided.

Inscription on the *role de droit*.

XIII. After the closing of the *enquête*, each party may inscribe the cause on the roll *de droit* for hearing upon the merits, on giving the adverse party two days' notice of such inscription. 35

Order of hearing of commercial cases.

XIV. The hearing of commercial cases shall take precedence of the hearing of cases of the same class inscribed for the same day, and being at the same stage of proceeding; and they shall be called the first in the order in which they shall have been respectively inscribed.

In case of parties not agreeing when case is called.

XV. No commercial case inscribed on the roll *de droit* shall be continued from one day to another; if, when the case is called, the parties do not argue it, it shall be struck off the roll, except in the event of incompetency on the part of the court or other similar or necessary causes, when the court may continue the case in the manner best calculated to expedite the hearing thereof. 40 45