

justice to the parties concerned with the least possible expense and delay.

XVI. And be it enacted, That the exigency of all Writs of *Saisie Arrêt*, whether before or after Judgment, to be issued out of the Superior Court, or out of the Circuit Court in appealable cases, shall in effect be, as regards every *Tiers Saisi* therein named, to require such *Tiers Saisi* to appear and make the declaration required of him, at the Office of the proper Prothonotary or Clerk of the Court before which he shall be summoned, during Office hours, on the Return day of such Writ, or on the juridical day next thereafter ; and if, after due return of such Writ into such Office, any *Tiers Saisi* thereby summoned shall fail to appear and make such declaration within the time so enjoined, his default shall on the next following juridical day be recorded, and shall thereupon have the same effect to all intents as though ascertained and recorded in open Court ; and the Prothonotary or Clerk shall have power to administer the proper oath to every such *Tiers Saisi*.

What shall be the exigency of Writs of *Saisie Arrêt* in the Superior Court or in the Circuit Court in appealable cases, &c.

XVII. And be it enacted, That notwithstanding any thing in the Twenty fifth section of the said Act or in any other law contained no *Exception à la forme*, *Exception déclinatoire*, *Exception dilatoire* or other preliminary plea shall be received unless the same be fyled within four days from the day of the return of the Writ or of the fyling of the pleading to which such preliminary Exception or plea is opposed : But the fact of his having fyled any such preliminary plea or Exception shall not preclude any party from filing afterwards a plea or pleas to the merits of the cause within the delay allowed by law for the fyling of such pleas.

Within what delay certain pleas must be fyled.

Proviso.

XVIII. And be it enacted, That so much of the ninety-second section or of any other part of the said Act as directs that the mere filing of a *Demande* in intervention in any case shall stay proceedings in such case during three days, shall be and is hereby repealed ; and that from and after the passing of this Act, the *Demande* in intervention may be filed as at present without being allowed by any Court or Judge, but shall not stay proceedings in the case or otherwise affect the same until it shall have been allowed by the Court upon motion in Term or by one of the Judges of the Court upon petition in vacation ; and that after any such *Demande* in intervention shall have been allowed by the Court, the proceedings in the case shall be stayed during three days, and the provisions of the said ninety-second section shall apply after such allowance of the *Demande* in intervention as they now do after the filing of the same : And every such motion or petition may be made or presented at any time before Judgment.

Sect. 92 of the said Act amended and other provision made as regards *Demandes* in intervention.

XIX. And whereas much inconvenience, expense and delay arise from the present Rule of Law under which the

Recital.