

is pending. Provided always, that in every case in which a cause pending in any division of the said Court of Common Pleas hereby constituted, shall be so situated that a *commission rogatoire* for the examination of parties or witnesses upon interrogatories, or a rule or order of such division of such Court for the examination of witnesses, *vivâ voce*, before any Justice or Justices of the said Court of Common Pleas hereby constituted, may legally be obtained, in Term, it shall and may be lawful to and for any two Justices of such division of such Court to award, in vacation, a *commission rogatoire* for the examination of the parties or of witnesses, upon interrogatories in such cause, or to make a rule or order for the examination of witnesses, *vivâ voce*, in such cause, before any Justice of the said Court of Common Pleas or of the said District Courts, in the same manner and form as the same would in such case be awarded or be made in Term; and the Justice of the said Court of Common Pleas, or of either of the said District Courts, who shall be appointed by any *commission rogatoire*, or by any such rule or order as aforesaid, to examine parties or witnesses in any case, shall have the like power to compel the appearance of such parties or witnesses, and of each of them, for the purpose of being examined, as was vested by Law for that purpose in His Majesty's Courts of King's Bench, which existed in this Province at the time of the passing of this Act, in the Superior Terms of such Courts.

XVIII. And be it further enacted by the authority aforesaid, that in each of the said Districts of Quebec, Montreal and Three-Rivers respectively, the Justices of the District Court thereof, or one of them, shall sit and hold Terms of such District Court for the cognizance of all Common or Civil Pleas and civil causes and matters whatsoever, arising within the limits of such Districts respectively and by Law cognizable in such District Court, and such Terms of the said District Courts shall be held at such times and places and during such periods in each and every of the Districts of Quebec, Montreal and Three-Rivers respectively, as at the passing of this Act were by Law appointed, directed and required for the several Inferior Terms of the then existing Courts of King's Bench for the Districts of Quebec and Montreal and of the Provincial Court for the District of Three-Rivers, respectively; and the Justices of the said District Courts, and any one or more of them, shall then and there proceed in the like manner in every respect as the Justices of the said last mentioned Courts of King's Bench and Provincial Court respectively, were by Law authorized and empowered, directed and required then and there to proceed before the passing of this Act, and in each and every such Term shall have, hold and exercise the like and the same