

LII. Nothing in the next preceding section, or in any proclamation under it, shall prevent the Judge from closing the sittings in any term whenever there shall be no business before the Court, or from continuing any term by adjournment until there is no more business before it, as hereinafter provided; and no term shall be so fixed as that any part of it shall be between the ninth day of July and the first day of September, both days exclusive, except in the Districts of Gaspé and Saguenay.

Not to prevent Judge from closing or continuing the Term in certain cases.

LIII. Any two or more Judges resident in the same District, may, and shall whenever the despatch of business before Court shall require it, sit and hold the Court, at the same place, but in separate apartments, as herein before provided with respect to the Superior Court, and one Judge may continue any proceeding commenced or continued by another as in the Superior Court, and subject to the same provisions.

Two Judges may sit at the same time and place, &c.

LIV. The first section of the Act of 1855, chapter 104, is hereby repealed, and the jurisdiction of the Circuit Court at Quebec and Montreal shall be the same as in other Districts.

Section 1 of 18 V. c. 104, repealed.

LV. If the sole Judge resident in any District, be a party to any suit brought in the Circuit Court in such District, or be liable to be recused in such suit, the same may be brought in the Circuit Court at the *Chef-lieu* of any adjoining District, upon allegation of the fact, the proof of which, if disputed shall lie upon the party alleging it; and if the Judge be recused in the course of any suit or proceeding, it shall be forthwith removed into the Circuit Court at the *Chef-lieu* of that one of the adjoining Districts which the Judge shall appoint, and the Clerk shall forthwith transmit the record to the Circuit Court at such *Chef-lieu*; and if, in either case, the recusation be undisputed or maintained, the suit or proceeding shall be determined at such *Chef-lieu*, and if the recusation be disputed it shall be summarily tried by the Judge holding the Circuit Court there, and if set aside the record shall be sent to the Circuit Court at the place where the suit or proceeding was or ought to have been brought, and it shall be determined there.

Case of recusation of sole Judge in any District provided for.

LVI. In appealable cases in the Circuit Court, the evidence shall be taken in the manner hereinafter provided in such cases and in cases in the Superior Court; and such appealable cases shall be inscribed for the adduction of evidence and for final hearing on the merits at the same time, and shall be heard as soon as the evidence is closed, unless the Court shall, after the witnesses present have been heard and notes of their evidence taken, deem it conducive to justice to adjourn the case on account of the absence of any material witness or other evidence; but nothing in this section shall be construed to prevent the evidence from being taken orally as in non-appealable cases, by consent of all the parties.

Inscription for adduction of evidence and hearing in appealable cases, and hearing, &c., thereof