

and respectively shall lawfully have, hold and exercise in the present Courts of King's Bench severally and respectively.

X. And be it further enacted by the authority aforesaid, that in each of the said Divisions of the said Court of Common Pleas respectively, it shall and may be lawful to and for the Justices of such Division, or any two of them, on such days, in vacation, as such Division shall appoint for the purpose of taking *Enquêtes* as now by Law is directed; to give judgment, final, preparatory, interlocutory and final in all cases upon hearings before had, in term; to order, take and record the examinations of the parties in any case upon *faits et articles*, the *serment décisoire* or *judiciaire*; to try all manner of issues raised and joined in such Division, which by Law ought to be tried by a Jury upon the like process and proceedings and in like manner and form as Trials are now had in Term; and such Justices on such days in vacation as aforesaid, shall have full power to award tales *de circumstantibus*, record non-suits, and take verdicts in the manner and form now used in Term; and the Sheriff of the District in which such trial by Jury shall be so had in vacation, shall make return of all process for summoning Juries before such Justices as aforesaid, and shall attend such Justices as well for returning such tales as may be prayed *de circumstantibus* for the trial of such issues as aforesaid; as for the performance of all other things to the office of Sheriff in such case belonging and appertaining, and all persons who shall be empannelled upon such Juries, all parties and all witnesses shall be charged and bound in the same manner and upon the like pains and penalties for non-appearance or non-attendance, or for their or any of their misdemeanor or default, before the said Justices as aforesaid, as they would be if such examinations on *faits et articles* or *serment décisoire* or *judiciaire* were ordered, taken or recorded, or such issue or issues was or were tried in Term, and all and every such non-suit so recorded, and trial and verdict so had and given, in vacation, shall be as good and as available in Law to all intents and purposes whatever, as if such trial or verdict had been had and given in Term.

XI. And be it further enacted by the authority aforesaid, that there shall be established, constituted and erected in each of the Districts of Quebec, Montreal and Three-Rivers, a Court for the hearing and decision of certain matters of controversy relative to Property and Civil