

then upon proof of the service of the writ of summons, proceedings by default shall be taken against such person, and upon proof by the Plaintiff of the allegations of the action or complaint, the Court shall render the proper judgment in the matter with costs.

- 5 2. If the Defendant appears, the Court shall cause the plea put in by him to the action or complaint to be entered; he shall hear the witnesses produced by the parties, and shall decide in conformity to law and justice, awarding costs to the successful party. If Defendant appears.

- 10 3. If the Defendant confesses judgment either in person or by Attorney, the Court, if the confession of judgment is accepted by the Plaintiff, shall cause judgment to be entered in conformity with such confession, in case of prosecution or complaint for any offence against the provisions of any Act or By-Law as aforesaid; if the Defendant pleads guilty the Court shall declare the Defendant convicted. Confession of Judgment,

- 15 4. The said Court may grant a delay of not less than one month nor more than three months to any Defendant who confesses judgment after the return of the action brought against him. Delay on confession.

- 20 XI. The said Court shall have power to compel witnesses to appear in any action, prosecution or complaint, pending before the said Court, and answer all legal questions put to them. Witnesses,

XII. The Court may permit and require interrogatories on *faits et articles* or the *serment décisoire* or *judiciaire* to be put to any party to a cause in all cases in which such interrogatories or oath are allowed by law in the ordinary Courts of civil jurisdiction in Lower Canada. *Faits et articles, etc.*

- 25 2. The Court shall have power to compel the execution of and to force obedience to any writ, order, warrant, or summons issued as aforesaid by the said Court and to that end it shall be invested with all the powers and authorities enjoyed in that respect by the ordinary Courts of civil and criminal jurisdiction in Lower Canada. Executive powers.

- 30 XIII. In any civil action the said Court shall, as regards the admissibility of oral testimony and the competency and the number of witnesses, follow the rules prescribed in that respect by the law in relation to civil matters, unless it be otherwise provided by this Act. Evidence.

- 40 XIV. In any civil action or proceeding, or in any prosecution or complaint for any offence committed against any By-law of the said city, or against the provisions of the Act hereinbefore cited, any Councillor of the said city, (excepting the Mayor or Councillors sitting in the said Court,) and any employee, officer or servant of the said Corporation shall be a competent witness, provided he has no direct interest in the result of such action, prosecution or complaint, or is not incompetent from any other cause. Who may be a Witness.

- 50 2. Any assessment, tax, duty or sum of money due to the said Corporation as aforesaid, and any penalty or fine which may be claimed or sued for in the said Court shall be recoverable on the oath of one competent witness, and any person accused in the said Court of any offence within the cognizance of the said Court may also be condemned on the oath of one credible witness. One Witness in certain cases.

- 55 3. Any person examined before the said Court as a witness or as a party, who shall wilfully and knowingly give false testimony, or make a declaration knowing it to be false, in any cause pending in the said Court or in any proceeding whatsoever had in the said Court, shall be False swearing.