

delay, but shall not be allowed 15 days from the date of the execution of the order of the denunciation. The appeal shall be adjudged summarily and without writings."

Proposed by Mr. PAGNUELO, seconded by Mr. CABANA, and resolved, "That in all cases requiring celerity, and in all urgent suits, the Judge may determine summarily the delay of summoning parties, which may be from day to day and from hour to hour. The defendant shall always, upon the Judge's order and after a simple notice, have the right to force the plaintiff to return the writ before the day set out in the writ for its return, under such penalty as the Judge may determine, and even under pain of non-suit."

Proposed by Hon. Mr. LAFLAMME, seconded by Mr. DENONCOURT, and resolved, "That the Articles of the Code of Procedure, referring to garnishments before judgment, conservatory seizures and others of the same nature, also to *capias*, be amended so that the Judge may, upon the deposition which he shall hold sufficient, allow provisionally the issuing of such seizure or of a *capias* with or without security on behalf of the plaintiff, saving the right to the defendant to contest summarily such proceedings upon a simple notice given from day to day or from hour to hour to the plaintiff or his attorney, and saving the right of the judge to revoke the order given, or to permit or to accept such security which he shall hold sufficient, or to give provisional possession of the effects seized to one or other party without prejudice to appeal to the court, which appeal shall be decided summarily."

Proposed by the Hon. Mr. LAFLAMME, seconded by Mr. CABANA, and resolved, "That the system of a single Judge in the first instance is the only one desirable and practicable."

Proposed by the Hon. Mr. LAFLAMME, seconded by Mr. PAGNUELO, "That in our present system of procedure, the Court of Review is necessary."

Mr. CABANA proposed an amendment, to which Mr. PAGNUELO proposed an amendment to the amendment. Afterwards, objection was taken to the amendment of Mr. Cabana as being irregular, and it was ruled out of order by the Chairman, upon which Mr. Pagnuelo withdrew his amendment.

It was then moved in amendment by the Hon. Mr. MALHIOT, That the principal motion be amended by adding thereto the following words:—"That it is necessary that the Court of Review shall sit five times a year at Three Rivers to hear the cases inscribed from the Districts of Three Rivers, Richelieu and Arthabaska, and five times a year in the city of Sherbrooke for the cases inscribed in the Districts of St. Francis, Bedford and Beauce."

Upon the vote being taken, the amendment was lost on the following division:—

Yeas—Hon. Mr. Malhiot, Messrs. Cabana and Denoncourt.

Nays—Hon. Mr. Laflamme, Messrs. Robertson, Pagnuelo and White (chairman).

The main motion being now brought up, it was proposed in amendment by Mr. WHITE, "That the Court of Appeal in this Province would be sufficient for all the purposes of review and appeal, if procedure in Appeal were simplified and rendered more expeditious and less costly; that the Court of Appeal should be presided over by four Judges only, and in case of an equal division amongst them, the original judgment should be confirmed."

This amendment was also lost upon the following division:—

Yeas—Hon. Mr. Malhiot, Messrs. Cabana and White.

Nays—Hon. Mr. Laflamme, Messrs. Robertson, Denoncourt and Pagnuelo.

The main motion was then put and carried on the same division.

It was then proposed by the Hon. Mr. MALHIOT, "That in order to save costs to parties and to obviate the serious inconveniences which are felt from the accumulation of affairs in the Court of Review at Montreal, it is advisable that the Court of Review shall sit five times a year at Three Rivers for hearing cases inscribed in Review in the Districts of Three Rivers, Richelieu and Arthabaska, and an equal number of sittings at Sherbrooke to hear cases inscribed in the Districts of St. Francis, Bedford and Beauce."

Upon this motion being put, the vote stood:—

Yeas—Hon. Mr. Malhiot, Messrs. Cabana and Denoncourt.

Nays—Hon. Mr. Laflamme, Messrs. Robertson, and Pagnuelo.

The CHAIRMAN (Mr. White) gave his casting vote in favor of the motion, which was carried.

Mr. PAGNUELO proposed "That the Court of Review should be composed during, at least, a year, of a Judge of the Superior Court residing in Montreal, a Judge residing in Quebec, chosen by the Judges of those districts, and of a third Judge from the rural districts, chosen by the two first-named from time to time as they would sit in Quebec or in Montreal; that the said Court should sit permanently say four days a week, according to the number of cases before the Court and until the roll is exhausted. Its judgment should be rendered without delay or on short delay."

This resolution was carried on the following division:—

Yeas—Hon. Mr. Laflamme, Messrs. Pagnuelo, Robertson, Cabana and Denoncourt.

Nays—Hon. Mr. Malhiot.

It was proposed by Mr. PAGNUELO, seconded by Mr. DENONCOURT, and unanimously resolved, "That before judgment and before *délibéré*, if there is occasion for *délibéré*, the judge of the Superior Court and the judges in Review and