

cases to the end that all the Superior Court cases may be tried in the presence and under the direction of the Court; that the stenographer's record be extended only in cases of appeal (or at the request of either party, at their own expense), and then at the original expense of the appellant, who shall be bound to print a case for appeal, the cost to be reimbursed in the event of the judgment being reversed.

3. Proposed by Hon. R. LAFLAMME, seconded by Mr. W. W. ROBERTSON, "That a party may be examined as a witness in his own behalf at the commencement of the evidence.

This resolution was carried on division, the Hon. Mr. MALHIOT voting against it.

4. Proposed by Mr. DENOUCOURT, seconded by Mr. CABANA, "That all cases between \$100 and \$200 be taken in the Superior Court, and that all such cases now pending be transmitted to the Superior Court of the district."

5. Proposed by Mr. PAGNUELO, seconded by Hon. Mr. LAFLAMME, "That the appeal be taken on a simple inscription, and on security being given according to the usual mode; that a counter appeal may be taken without cost on a simple notice from the respondent; that there be paid the Prothonotary \$5 to prepare and transmit the record, and to receive the security and \$5 in stamps for the Government on the inscription; that afterwards there shall be paid only \$10 in appeal upon the final judgment and 50 cents on each motion or petition, and no other disbursements shall be required on appeal; that the reasons of appeal be abolished, but the factum preserved."

6. Proposed by Mr. PAGNUELO, seconded by Hon. Mr. LAFLAMME, "That every party condemned by default to appear or plead, may proceed against such judgment, whether taken in term or vacation, according to Articles 484 and following of the Code of Procedure."

7. Proposed by Mr. ROBERTSON, seconded by Mr. CABANA, "That the plaintiff may give his affidavit when he takes his action or at any time afterwards, and inscribe afterwards for judgment on such affidavit when judgment may be taken on such affidavit."

8. Proposed by Mr. PAGNUELO, seconded by Hon. Mr. LAFLAMME, "That it is advisable to repeal the statute which abolishes appeal from judgments of the Court of Review confirming the judgment in the first instance."

The Council then adjourned until the 26th December.

THIRD SITTING.

On the 26th of December the Council resumed, when the same persons were present.

After routine business,

It was proposed by Hon. Mr. MALHIOT, seconded by Hon. Mr. LAFLAMME, and resolved, "That the following be added to the sixth resolution of the 9th of December:—

"But no opposition to judgment shall be

"allowed in any case unless the party condemned swears that he has a good defence to the action, which defence shall be set out, and that he has been prevented from filing such defence by surprise, fraud or for other just cause which shall be considered just and sufficient."

FOURTH SITTING.

At the last sitting on the 27th of December, It was proposed by the Hon. Mr. LAFLAMME, seconded by Mr. ROBERTSON, and resolved, "That it be provided by an express disposition of the Code of Procedure for the introduction of *référé* or summary proceedings in Chambers, as established by Articles 806 and following of the French Code of Procedure, for all cases of urgency or requiring celerity, or where there will be occasion to give provisional orders upon the difficulties relating to the execution of judgments. The following shall be considered as urgent affairs within the jurisdiction of the Judge in Chambers, leaving to his appreciation the other cases:—

"1. Proceedings for sale for false bidding.

"2. Proceedings to obtain possession of an immovable sold by the Sheriff, or other sale of the same nature.

"3. Difficulties between solicitors and clients upon questions of fees.

"4. The refusal of a notary to obey an order to deliver copy of an unregistered deed, or of a deed not completed.

"5. Contestations on the affixing of seals.

"6. Questions arising out of the making of an inventory.

"7. Urgent measures and authorizations for the administration of community property, of succession, and of partnerships, when partners disagree.

"8. Questions about notices to resiliate leases or about making sub-leases, managing or selling a stock in trade, administering provisionally a succession.

"9. Difficulties arising at or after a sale of movable property after the death of the owner, such as oppositions to the sale, a revendication of some of the effects.

"10. All proceedings by experts, in order to determine the state of an immovable, nomination of surveyors for determining bounds or metes.

"11. Oppositions to judgments, seizures and sale.

"The judge may allow to summon parties in all such cases, either to the Court House or to his own house, or at an hour determined by him, and even on holidays. Orders in Chambers shall not prejudice the case, they shall be executive provisionally, with or without security as the Judge may order. They shall not be susceptible of opposition. In a case where an appeal lies, such appeal may be taken without