

An Act further to amend the Judicature Acts of Lower Canada.

WHEREAS it is desirable further to amend the Laws in force in Lower Canada, relative to the Administration of Justice : Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

Procedure—Enquête and Hearing.

I. Whenever any party to a case then pending in the Superior Court is desirous that such case be heard on the merits as soon as the evidence is closed, such party may at the same time inscribe the case for the adduction of evidence and for final hearing on the merits, and it shall accordingly be so heard as soon as the witnesses present have been heard and notes of their evidence taken, unless the Court deems it conducive to justice to adjourn the case in consequence of the absence of a material witness or other evidence : And the inscription of any such case may be made for any named day during term, or for such days in term, or for such *enquête* days, as hereinafter provided.

Inscription for *enquête* and hearing at the same time.

Days for *Enquêtes*, &c.

II. A majority of the Judges of the Superior Court residing in the District of Quebec or in that of Montreal,—or any Judge of the said Court when in any other District,—may, by any Rule of Practice to be by them or him from time to time made, and promulgated by any Judge sitting in term in the same District, appoint special days in term for the adduction of evidence and final hearing on the merits at the same time, in cases before the Court in such District ;—And any such Rule may be repealed or altered by any subsequent Rule made and promulgated in like manner :

Rules of practice may be made appointing days for such purpose.

And whenever such special days in term are so appointed in any District, no case shall be there inscribed for the adduction of evidence and final hearing on the merits at the same time, on any other day in term : and cases so inscribed shall on such days have precedence over other cases or business before the Court inscribed or fixed for such days, except only cases taken *en délibéré* and in which judgment is to be rendered.

Effect of such rules.

III. A majority of the Judges of the Superior Court residing in the District of Quebec or in that of Montreal, or any Judge of the said Court when in any other District,—may, by

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