



## CHAPTER 83

An Act to amend the Code of Civil Procedure respecting proof and hearing, and proof, in cases by default and *ex parte*

[Assented to, the 4th of April, 1929]

**HIS MAJESTY**, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

**1.** The Code of Civil Procedure is amended by inserting therein, after article 420 thereof, the following article: C. C. P., art. 420a, added.

**“420a.** 1. When the evidence has been fyled in conformity with article 420, the prothonotary must, if the court is not then sitting in the district, at the request of the plaintiff's attorney after three clear days notice to the attorney for the defendant if an appearance has been fyled, transmit the record to the resident judge in such district, and, if there be no resident judge, to a judge in the district of Quebec or of Montreal, designated by the Chief Justice or Acting Chief Justice, as the case may be, according to whether the district wherein the suit is pending is within the territorial jurisdiction of the Court of Appeal sitting at Quebec or in that of the same court sitting at Montreal. Transmission of record in certain cases.

2. On receipt of such record, the judge shall render judgment and transmit the draft thereof, certified by him, to the prothonotary, with instructions to enregister such judgment; to give notice thereof to the parties or to their attorneys, and to read or give communication of the said judgment to them on demand on the day which he fixes for that purpose. Procedure upon receipt of such record.

3. The prothonotary, on receiving the draft judgment and the instructions accompanying it, shall be bound to conform to such instructions; and the judgment so enre- Duties of prothonotary on re-