



CHAPTER 65

An Act to amend the Code of Civil Procedure respecting examination on discovery

[Assented to, the 24th of March, 1926]

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 286, as amended by the act 8 Edward VII, chapter 76, section 1; 1 George V (1910), chapter 42, section 2, and 7 George V, chapter 55, section 1, the following article:

"286a. Before defence fyled, upon the application of the defendant supported by affidavit that such application is made in good faith and in no way for the purpose of unjustly delaying the case, the judge or, in his absence, the prothonotary may order the plaintiff to appear before him to be examined as a witness upon all facts relating to the action; the delays for pleading shall thereupon be suspended and shall only begin to run from the date of such examination. This provision shall not apply to summary matters nor to suits instituted in a court other than the Superior Court.

The provisions of paragraphs 2 and 3 of article 286 shall apply when the plaintiff is a corporation, or a foreign firm or corporation."

2. This act shall come into force on the day of its sanction.

C. C. P.,
art. 286a,
added.

Examina-
tion of
plaintiff be-
fore defence
fyled.

Suspension
of delays.

Summary
matters and
S. C., ex-
cluded.

Application
of certain
provisions.

Coming into
force.

