

CHAP. 77

An Act to amend the Code of Civil Procedure respecting trial by jury

[Assented to 14th April, 1908]

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

C. C. P., art. 422, amended. **1.** Article 422 of the Code of Civil Procedure is amended, by replacing the words: "four hundred," in the second line, by words: "one thousand":

C. C. P., art. 436, re-placed. **2.** Article 436 of said Code is replaced by the following :

Exclusively English or French jury in certain cases. **" 436.** 1. When the language of all the parties is the French language or the English language, or when one of the parties speaks the French language or the English language, and the mother tongue of the other is neither French nor English, the judge, on the demand of one of the parties, may order that the jury be composed wholly of persons speaking the French language or the English language, according as the language of all or of one of the parties is French or English.

Mixed jury in certain cases. 2. If one of the parties speaks the French and the other the English language, and one of them demands a jury *de mediatate linguæ*, or if such demand is made by a corporation party to the suit, the judge shall cause the jury to be composed, one-half of persons speaking the French language; and one-half of persons speaking the English language."

C. C. P., art. 473, re-placed. **3.** Article 473 of the said Code is replaced by the following:

Filing of judge's charge. **" 473.** Upon the demand of one of the parties, the judge shall cause the whole of his charge to be filed of record.

Charge taken in short-hand. Such charge shall be taken down in short-hand, unless the parties agree otherwise, and, when signed by the judge, shall form part of the record."

Coming into force. **4.** This act shall come into force on the day of its sanction.