

Decisory oath* “Or unless the agreement upon those two points be established by the decisory oath of the proprietor.”

Coming into force. **3.** This act shall come into force on the day of its sanction.

CAP. XXIII.

An Act to amend article 376 of the Code of Civil Procedure.

[Assented to 12th July, 1888.]

Preamble.

WHEREAS section 2 of the Act 33 Victoria, chapter 13, which amended article 376 of the Code of Civil Procedure, respecting the amount of the fine upon jurors who, when summoned, have not appeared in cases in civil matters, was repealed by the law respecting jurors in criminal matters, 46 Victoria, chapter 16, section 62;

Whereas in consequence of such repeal there is now no fine under the said article 376, and it is expedient to remedy this matter;

Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

Art. 376 C. C. P., replaced.

1. Article 376 of the Code of Civil Procedure is replaced by the following:

Penalty upon jurors failing to appear when summoned.

“**376.** On the day fixed for the trial, the persons summoned as jurors must appear at the appointed hour, at the place where the court is held, under a penalty of a fine not exceeding twenty-five dollars, which may be immediately imposed, and is levied by the sheriff on the goods and chattels of the person so fined; and, in default of sufficient goods and chattels, such person may be imprisoned for a period not exceeding fifteen days.

Penalty may be reduced or remitted.

The court may, however, for good cause shown, reduce or entirely remit such penalty or imprisonment.”

Coming into force.

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

CAP. XXIV.

An Act to amend certain articles of the Code of Civil Procedure.

[Assented to 12th July, 1888.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

C. C. P. 556;
45 V., c. 12, s.
3; 45 V., c. 34,

1. Article 556 of the Code of Civil Procedure, as amended by the acts 45 Victoria, chapter 12, section 3, 45