

C A P . I X .

An Act to amend article 69 of the Code of Civil Procedure, relating to the service on certain Defendants.

[Assented to 23rd February, 1875.]

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

1. Article 69 of the Code of Civil Procedure of Lower Canada, is amended so to read as follows : Art. 69, C. C. P., amended.

"69. Nevertheless and without prejudice to the mode of summons mentioned in the preceding article, when a defendant, having property in the province of Quebec, has no longer, or has never had any domicile therein, or when the cause of action arose in the province of Quebec and the defendant resides in the dominion of Canada, the judge, or the prothonotary, upon proof of the fact by affidavit or otherwise, may grant leave to serve the writ of summons at the domicile of the defendant, and such leave is endorsed in writing by him upon the writ, which may then be served by any bailiff of a court of superior jurisdiction in the place in which the service is to be made, or any literate person, either of whom makes an affidavit of service, sworn to before any justice of the peace, having jurisdiction in the place where the service was made, or before a commissioner of the superior court, for the province of Quebec, or by any bailiff of the superior court for the province of Quebec."

2. This act shall come into force on the day of the sanction thereof. Coming into force of this act.

C A P . X .

An Act to amend the law respecting Civil Procedure, in the Superior and Circuits Courts, respecting the mode of rendering judgment and of adjourning the Court.

[Assented to 23rd February, 1875.]

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

1. At any time, when a judge who has heard a cause in the superior or in the circuit courts, is incapable, on account of illness, absence or other cause, of rendering judgment in person, he may transmit the draft of the judgment, certified by him, to the prothonotary or to the clerk, as the case Mode of rendering judgment in the Judge's absence.

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