

"2. To fix, under such conditions as it shall judge meet, the place in which each provincial exhibition shall be held, to make jointly with the committee of five members of the board of arts and manufactures, by-laws for the regulation of such exhibitions, to name jointly with them a local committee at the place where such exhibition is to be held, and lay down the powers and duties of the said local committee." Regulation of exhibitions.

"2. Section one hundred and seventeen of said act shall be amended by placing after sub-section two the following : Sec. 117 of said act amended.

"3. To aid and assist the council of agriculture in organizing agricultural and industrial exhibitions, and in making the necessary by-laws for the organization and regulation of such exhibitions, as provided for by section thirty-six ;" and by altering the number of sub-section three to four."

"3. Section one hundred and forty-seven of the said act is hereby amended by substituting for the words "through which such colonization roads or bridges may pass" in the said section, the words "in the vicinity of such colonization roads or bridges." Sec. 147 of said act amended.

"4. Section seventy-five of said act is amended by striking out the word "April" and substituting therefor the word "January." Sec. 75 of said act amended.

"5. Section seventy-six of said act is amended by striking out the word "June," and substituting therefor the word "February," and also striking out all that part of said section after the word "together" inclusive. Sec. 76 of said act amended.

CAP. IV.

An Act to amend certain articles of the Code of Civil Procedure respecting the practice of the Superior and Circuit Courts.

[Assented to 24th December, 1870.]

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

1. Article 238 of the said code is hereby amended so as to 238 C. C. P. amended.
read as follows :

"In the districts of Quebec, Montreal and Ottawa, every Days for proof.
"juridical day, except days between the ninth of July and
"the first of September, and between the twenty-fifth day
"of December and the tenth day of January, and days
"on which any term of the Court of Queen's Bench, Appeal
"side, or of the Superior Court or of the Circuit Court is
"being therein held, shall be a day on which parties to a suit

"may be compelled to proceed to proof; in each of the other districts the judge may, from time to time, by a rule of practice promulgated in open court, set apart such days in or out of term as may be deemed convenient for proceeding to proof."

263 C. C. P.
amended.

Proof in several cases at the same time.

265 C. C. P.
repealed.

463 C. C. P.
Days in vacation to count in delays of arts. 497 and 500
C. C. P.

Art. 494
repealed.

2. Article 263 of the said code is hereby amended by adding the following words at the end thereof: "and the judge may order as many cases to proceed before him at the same time, as in his discretion, he deems expedient."

3. Article 265 of the said code is hereby repealed.

4. Notwithstanding article 463 of the said code, any days between the ninth of July and the first of September shall be reckoned in the delays of eight days fixed by articles 497 and 500 of the said code.

5. Article 494 is hereby repealed, and the following article is substituted in lieu thereof:

494. A review may be had:

1. Upon every final judgment from which an appeal lies;

2. Upon every judgment or order rendered by a judge in summary matters under the provisions contained in the third part of this code;

3. Upon any judgment rendered on any petition or motion to set aside or quash an attachment before judgment or *capias ad respondendum*.

Art. 569
amended.

6. Article 569 of the said code is hereby amended by inserting after the word "judge" therein, the words "or in his absence the prothonotary."

The said article so amended shall apply to all cases in the Circuit Court, and, in such cases, the clerk of the said court shall have the power hereinabove given, instead of the prothonotary.

§ 1 of art. 663
amended.

7. The first paragraph of article 663 of the said code is hereby amended so as to read as follows: "The writ of *venditioni exponas* orders the sheriff to proceed with the sale of the immovable or of the rent under seizure after one publication in French and English at the church door, on the third Sunday before the sale, and two advertisements in the Quebec Official Gazette; each such advertisement containing the information required by article 648."

Art. 664
amended.

8. Article 664 of the said code shall apply to executions against movables.

Art. 1054
amended.

9. Article 1054 of the said code is hereby amended by inserting at the beginning thereof, the words "Except in the districts of Quebec and Montreal."

Superior Court in review to have exclusive original jurisdiction in certain cases.

10. The judges of the Superior Court, at their sittings in review, shall also have exclusive original jurisdiction to hear and determine all motions for judgment upon a verdict, or for new trial, or for judgment *non-obstante veredicto*, or in arrest of judgment, in cases in the Superior Court, in the districts of Quebec and Montreal.

11. Article 1095 of the said code is hereby amended by adding thereto the following paragraph: "On any day during a term or the time fixed for the holding thereof, if the judge is absent or cannot hold the court on that day, such confessions may be given in the same manner as out of term." Art. 1095 amended.

12. Article 1115 of the said code is hereby amended by adding, at the end thereof, the following words: "And except also in cases for an amount not exceeding two hundred dollars, in which the judgment has been confirmed in review before three judges." Art. 1115 amended.

13. Notwithstanding article 1118 of the said code, proceedings in error or in appeal may be taken during the delay allowed for demanding a review before three judges, or after proceedings in review have been commenced if the party who has taken such proceedings discontinues the same. Notwiths. 1118 C. C. P. appeals may be taken during delay for review.

14. Article 1179 of the code of civil procedure is amended by striking out the following words at the end of the said article: "and the sureties are not bound to justify their solvency upon real estate," and by substituting and adding the following: "The sureties justify their solvency upon the real estate which is described in the bail bond. One surety suffices, if he is the owner of real estate which he describes provided that the value of such real estate is equal to the amount of the security, over and above all charges and hypothecs. The judge who receives such security may order, either on demand or otherwise, the production of the registrar's certificate, the valuation rolls and any other documents for the purposes of the security, and is bound to put such questions as he deems advisable to the sureties, and such questions and the answers thereto may be taken down in writing. Nevertheless the party appellant may exempt himself from furnishing such security, by depositing an amount equal to that required for the security, either in money, in bonds of the Dominion or of the province of Quebec, or in corporation debentures, and such moneys, bonds or debentures are deposited either with the clerk of the court of Queen's Bench or with the sheriff, as the judge may direct." 1179 C. C. P. amended.

15. Section ten of the Quebec interpretation act shall not apply to this act. Sec. 10 of Q. 31 V. c. 7 not to apply.

16. Nothing in this act shall apply to or affect any cases now pending before the Circuit Court. Cases pending not affected.