

857, 899, 1081  
and 1082, C.  
C. P., amended.

of civil procedure of Lower Canada, all writs of summons, of attachment for rent, of attachment in revendication, of attachment before or after judgment, seizure in execution, *capias*, *subpœna* or order, issuing either from the superior or circuit court, may be addressed either to the sheriff or to any bailiff of the district, in which such writ issues, and may be by them served or executed in such district or in any other district, or to the sheriff or to any bailiff of such other district in which such writ is to be served or executed.

Art. 606, C. C.  
P., amended.

2. Paragraph eight of article 606, of the said code is amended by striking out all the words thereof after the words "costs of suit."

Art. 129, C. C.  
P., amended.

3. Article 129 of the code of civil procedure is amended, so as to read as follows :

Security for  
costs may be  
demanded or  
given in vaca-  
tion.

129. The application for security for costs may be made before the court or before a judge or the prothonotary in vacation, and may be adjudicated upon forthwith.

If the person bound to give security fails to do so within such time as the court, judge or prothonotary may fix, the opposite party may obtain a judgment of non-suit.

Saving the foregoing provision, any person from whom security may be demanded in virtue of article 29 of the civil code, may at any time, whether the same has been demanded or not, put in such security after one clear day's notice to the opposite party.

## CAP. XVIII.

An Act to facilitate the taking of Evidence in Civil Cases.

[Assented to 1st February, 1870.]

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

Arts. 239, 240,  
263, 280, 284,  
285, 287, 288,  
1075, C. C. P.

1. Notwithstanding any provisions of articles 239, 240, 263, 280, 284, 285, 287, 288 and 1075 of the code of civil procedure of Lower Canada, all depositions of witnesses in cases before the superior court, or before the circuit court, may, as regards default cases, and also by consent of the parties or of their attorneys as regards contested cases, be taken at any stage of the proceedings, at any place, on any juridical day, in or out of term, and may, after being so taken, be sworn to before a commissioner of the superior court.

Depositions  
may be taken  
at any time  
and sworn to  
before a com-  
missioner.

Retrospective  
effect.

2. The provisions of the foregoing section shall apply with retroactive effect to all depositions already taken in cases now pending, but shall not in any manner affect any judgment of a court already rendered or any proceedings had or to be had in virtue of such judgment.

