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**B I L L .**

[No. 325.

**An Act to lessen Costs in Suits at Law in Upper Canada.**

**W**HEREAS it is desirable to make provision, by enactment, to enable Defendants in Upper Canada to give or make confession of Judgment, in all cases where they may desire so to do, and also to define in what cases the Defendant in any action may be relieved from paying costs ; Be it therefore enacted, &c.,

Preamble.

That from and after the passing of this Act, it shall and may be lawful for any Defendant, or the Attorney of any Defendant thereunto duly authorized, against whom any Writ of Summons shall issue from any Court of Common Law in Upper Canada having jurisdiction in Civil Suits, for debt, on a promissory note, contract, or book accompt, to call at the usual place of business of the Plaintiff's Attorney, between the hours of ten of the clock, A. M., and three, P. M., on any day not by law a holiday, and tender his confession of Judgment for the full amount claimed, or for such amount as he shall acknowledge to be justly due by him to the Plaintiff, including the legal interest thereon, and the costs already accrued.

Defendant may tender confession of judgment and how.

II. And be it enacted, That it shall be lawful for such Attorney of the Plaintiff, and he is hereby required under the penalty against such Plaintiff hereinafter provided, to take such confession of Judgment on any day, not a holiday, previous to the sittings of any such Court at which such action ought to be tried or decided; and such Attorney shall be entitled to charge and receive from such Defendant the sum of \_\_\_\_\_, in full payment of the costs on taking such confession of Judgment and all necessary duties connected therewith.

Such confession must be taken on pain, &c.

Costs.

III. And be it enacted, That the Defendant shall have time for the payment of the sum mentioned in such confession of Judgment as follows, that is to say, until the next sittings of the Court in which such action or suit is brought, and so long thereafter (without being subject to any further process or costs) as he could or would have had if such action or suit had been heard or tried and a verdict obtained or judgment given at the sittings aforesaid; and that no Writ of Execution shall issue against such Defendant, nor shall any further costs be incurred by him until the expiration of the delay hereby granted.

Time allowed to Defendant before execution.