

An Act to amend the Law in relation to Law Costs in the Courts of Common Law and Chancery in Upper Canada.

WHEREAS the costs now allowed by law in actions and proceedings in Her Majesty's Courts of Common Law and Chancery in Upper Canada are exorbitant and oppressive, and it is expedient that the law in relation thereto should be amended so as to provide a tariff of costs less oppressive and better suited to the circumstances of the inhabitants of a new country; Therefore Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

POWERS TO COUNTY JUDGES IN SUITS IN SUPERIOR COURTS, U. C.

10 **1.** In suits in either of the Superior Courts of Common Law, the judge or acting judge of the County Court for the county in which the suit has been brought, or the venue laid, may, on application in such suit, grant a summons and order for the examination of a judgment debtor under the provisions of the two hundred and eighty-seventh section of the Common
15 Law Procedure Act, before the judge of the County Court of the County wherein such debtor shall be resident, or before any other person to be specially named, and such Judge or acting judge may grant an order for the attachment of debts under the provisions of the two hundred and eighty-eighth section of the Common Law Procedure Act;
20 and in suits within the meaning of this section all the proceedings against garnishees provided for in the Common Law Procedure Act may be had and taken before such judge or acting judge in the same manner and to the same extent and effect as if such proceedings were taken before either of the said Superior Courts or any judge thereof.

25 **2.** In suits in either of the Superior Courts of Common Law, the judge or acting judge of the County Court for the County in which the suit has been brought or the venue laid, may, upon the application of the plaintiff or defendant, grant leave to either party to plead and demur to the same pleading at the same time, and to plead or reply several matters
30 under the provisions of the one hundred and ninth and one hundred and tenth sections of the Common Law Procedure Act.

3. In suits in either of the Superior Courts of Common Law, the judge or acting judge of the County Court of the County in which the suit has been brought or the venue laid, may grant a summons and order
35 for the examination of a judgment debtor and for the committal of such debtor under the provisions of section forty-one, chapter forty-four, of the Consolidated Statutes for Upper Canada, intituled, "An Act respecting arrest and imprisonment for debt," and every such judge or acting judge in suits within the meaning of this section and of the said section
40 forty-one, shall have the same power and authority in all respects as the judge referred to in the said forty-first section of the aforesaid in part recited Act.