

in case the party complaining is ordered to pay costs, execution may issue out of the county court for such costs as in other cases in the county court wherein an order is made for the payment of costs.

8. The County Judge may cause any person to be summoned as a witness to attend before him in any such case, in like manner as witnesses are summoned in other cases in the county court, and under like penalties for non-attendance, or refusing to answer, or wilfully swearing, or affirming falsely in such case.

9. Nothing herein contained shall prevent any landlord from proceeding under the sixty-third, and ten next following sections of the Act respecting ejectment, chapter twenty-seven of the Consolidated Statutes of Upper Canada, if he thinks it advisable to proceed under the said sections, or shall in any way affect the powers of any judge or judges of the superior courts under the same, or under sections fifty-seven, fifty-eight and fifty-nine of the said Act, or shall prejudice or affect any other right or right of action or remedy which landlords may possess in any of the cases herein provided for.

10. In the case of tenancies from week to week and from month to month, a week's notice to quit and a month's notice to quit respectively, ending with the week or the month, as the case may be, shall be deemed sufficient notice to determine, respectively, a weekly or monthly tenancy.

11. The proceedings under this Act shall be entitled in the County Court of the County or union of Counties in which the premises in question are situate, and shall be styled "In the matter of (giving the name of the party complaining) Landlord against (giving the name of the party complained against) Tenant."

12. Service of all papers and proceedings under this Act shall be deemed to have been properly served if made as required by law, in respect of writs and other proceedings in actions of ejectment.

13. In this Act the word "tenant" shall mean and include an occupant, a sub-tenant, under-tenant, and his and their assigns and legal representatives; and the word "landlord" shall mean and include the lessor, owner, the party giving or permitting the occupation of the premises in question and the person entitled to the possession thereof, and his and their heirs and assigns and legal representatives.

14. The following is the Schedule A referred to in this Act:

FORM No. 1.

ONTARIO, TO WIT: Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

[L. s.]

To the Sheriff of the _____ Greeting:
Whereas _____ Judge of the County Court of _____ by his order dated the _____ day

of _____ A.D. 186 _____, made in pursuance of the "Act respecting Overholding Tenants," on the complaint of _____ against _____ adjudged that _____ was entitled to the possession of _____ with the appurtenances in your Bailiwick, and that a Writ should issue out of our said Court accordingly, and also ordered and directed that the said _____ should pay the costs of the proceedings had under the said Act, which by our said Court have been taxed at the sum of _____. Therefore, we command you, that without delay you cause the said _____ to have possession of the said land and premises, with the appurtenances: And we also command you that of the goods and chattels of the said _____ in your Bailiwick, you cause to be made _____ being the said costs so taxed by our said Court as aforesaid, and have that money in our said Court immediately after the execution hereof, to be rendered to the said _____, and in what manner you shall have executed this Writ make appear to our said Court, immediately after the execution hereof, and have there then this Writ.

Witness _____ Judge of our said Court at _____ this _____ day of _____ A.D. 186_____
_____ Clerk.

Issued from the Office of the Clerk of the County Court of the County, or United Counties of _____ Clerk.

FORM No. 2.

ONTARIO, TO WIT: Victoria, by the grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith.

[L. s.]

To the Sheriff of the _____ Greeting:
Whereas _____ Judge of the County Court of the _____ by his order dated _____ day of _____ A.D. 186 _____, made in pursuance of the "Act respecting Overholding Tenants," on the complaint of _____ against _____ adjudged that _____ was entitled to the possession of _____ And ordered that a writ should issue out of our said Court accordingly: Therefore we command you that without delay you cause the said _____ to have possession of the said land and premises, with the appurtenances, and in what manner you shall have executed this Writ make appear to our said Court, immediately after the execution hereof and have there then this Writ.

Witness _____ Judge of our said Court at _____ this _____ day of _____ A.D. 186_____
_____ Clerk.

Issued from the office of the Clerk of the County Court of the County or United Counties of _____ Clerk.

AN ACT

To remove doubts as to the authority of certain Commissioners to take affidavits and Bail.

[Assented to February 28, 1868.]

Whereas, it is expedient to remove doubts, respecting the authority of Commissioners ap-