

CHAP. IV.

An ACT for regulating the Practice of the Court of King's Bench.

PREMBLE.
FOR the more easy and convenient administration of justice by the court of King's bench,
Be it enacted by the King's most excellent Majesty, by and with the advice and
consent of the legislative council and assembly of the province of Upper-Canada,
constituted and assembled by virtue of, and under the authority of an act passed in the parli-
ament of Great-Britain, entitled " An act to repeal certain parts of an act passed in the four-
teenth year of his Majesty's reign, entitled " An act for making more effectual provision for
the government of the province of Quebec in North-America, and to make further provision
for the government of the said province," and by the authority of the same, That from and
after the first day of October next, it shall and may be lawful to and for the clerk of the
crown and pleas of this province to have, and he is hereby required to have in each and every
district of the same, and also in the town of Newark, in the county of Lincoln, in the Home
district, an office in which actions in the said court of King's bench may be instituted, and
the parties plead to issue in like manner as is now done in the office of the said clerk, in the
district in which the said court is holden; and that for that purpose the said clerk be, and he
hereby is authorized and required to supply his deputy in each district, and also in the said
town of Newark, from time to time, with blank writs of the said court, properly signed and
sealed, which his said deputy is hereby authorized and required to fill up as occasion may
require.

The clerk of
the crown and
pleas to keep
an office in
each district.

II. AND whereas many and great inconveniences have followed from the length of time
which by the present practice of the said court must intervene between the teste and the re-
turn of writs, Be it enacted by the authority aforesaid, That from and after the day aforesaid,
every Monday in the course of the year, except Easter Monday, and Christmas-day, in case it
shall happen on a Monday, shall be a return-day for the return of writs issuing out of the said
court of King's bench, and no other day or days whatsoever be the return-day or days for such
writs; and that no less than fifteen days shall intervene between the teste and return of any
process issuing out of the said court in any district of this province.

Every Mon-
day, except
&c. to be re-
turn-day.

Time between
the teste and
return.

III. And be it further enacted by the authority aforesaid, That from and after the day aforesaid,
Hilary term shall begin on the first Monday in the month of January, and end on the Satur-
day of the week ensuing; and that Easter term shall begin on the first Monday of the month
of April, and end on the Saturday of the week ensuing; and that Trinity term shall begin on
the first Monday of the month of July, and end on the Saturday of the week ensuing, and
that Michaelmas term shall begin on the first Monday of the month of November, and end on
the Saturday of the week ensuing; and that all commissions of assize and nisi prius do issue,
and also that the sittings for the Home district be held in the vacations between Hilary and
Easter terms, and between Trinity and Michaelmas terms, any law or usage to the contrary
notwithstanding.

Terms.

Assizes and sit-
tings.