

enabling the bringing a joint action against all the parties to any bill of exchange or promissory note.

And with respect to proceedings for the revival of judgments, Be it enacted as follows : Revival of Judgments.

X. The two hundred and second section of the Common Law Procedure Act, 1856, is hereby repealed ; and during the lives of the parties to a judgment or those of them during whose lives execution may at present issue within a year and a day without a *scire facias*, and within six years from the recovery of the judgment, execution may issue without a renewal thereof. Section 202 of 19, 20 V. c. 43, repealed, and new provision made.

And with respect to Equitable defences ; Be it enacted as follows : Equitable Defences.

XI. The two hundred and eighty-seventh section of the Common Law Procedure Act, 1856, and the words placed between that and the next preceding section, are hereby repealed ; and after this Act shall come into force it shall be lawful for the defendant, or the plaintiff in replevin, in any cause in either of the Superior Courts, in which, if Judgment were obtained, he would be entitled to relief against such Judgment on equitable grounds, to plead the facts which entitle him to such relief by way of defence, and the said Courts are hereby empowered to receive such defence by way of plea, provided that such plea shall begin with the words " For defence on Equitable grounds," or words to the like effect. Section 287 of 19, 20 V. c. 43, repealed, and new provision made.

And as to reference to arbitration ordered at the trial ; Be it enacted as follows : Facts entitling to relief may be pleaded.

XII. The Judge at *Nisi Prius* directing any reference under the one hundred and fifty-sixth section of the Common Law Procedure Act, 1856, may direct such reference, if he shall see fit to do so, in like manner as he has power to do under the eighty-fourth and eighty-fifth sections of the said Act, and every arbitrator so appointed at *Nisi Prius* shall be subject to the provisions of the said sections, and shall have the powers expressed in the eighty-sixth section and be subject to the same regulations as are mentioned and provided in regard to arbitrators in and by the eighty-seventh section of the said Act. Arbitration.

And as to trials *at bar*, Be it enacted as follows : Judge at *N. P.* directing reference at trial, may do so in the manner provided by ss. 84 & 85 of 19, 20 V. c. 43, and powers and proceedings of Arbitrators to be as under ss. 86 & 87.

XIII. The plaintiff or demandant, and the defendant or tenant, respectively, in any action or suit whatever commenced or brought, or to be commenced or brought in either of the Courts of Queen's Bench or Common Pleas for Upper Canada, may, in the Term next after issue joined apply to the said Courts respectively for a trial *at bar*, and each of the said Courts respectively may, in its discretion, upon hearing the parties, grant or refuse the same. Trial at Bar may be demanded and granted for cause.

XIV.