

II. Proof of the execution of any deed, will or probate thereof or memorial of the same in Upper Canada, may, for purposes of registration in Lower Canada, be made before any of the Commissioners to be appointed under the authority of this Act, in the same manner as such proof may now by law be made in Lower Canada.

Such Commissioners may receive proof of execution of Deed, &c., to be used in L. C.

19 & 20 VICTORIA.—CHAP. 91.

An Act to amend the Act to alter and amend the Act regulating the practice of the County Courts in Upper Canada, and to extend the jurisdiction thereof.

[Assented to 1st July, 1856.]

WHEREAS the large number of cases usually entered for trial at the Assizes for the United Counties of York and Peel render it difficult to provide for the despatch of business as at present conducted: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.

I. From and after the passing of this Act, no plaintiff having a cause of action within the jurisdiction of the County Court in said United Counties, (or in the County of York if separated from the County of Peel,) shall institute or carry on such action in either of the Superior Courts of Common Law in Upper Canada, under the provisions of the Act passed in the Session held in the thirteenth and fourteenth years of Her Majesty's Reign, intituled, *An Act to alter and amend the Act regulating the practice of the County Courts in Upper Canada, and to extend the jurisdiction thereof*, or under any other Act or authority whatsoever, unless such plaintiff shall, before issuing the first process in such action, obtain the *fiat* of one of the Judges of either of such Superior Courts, allowing the plaintiff to bring such action in one of such Superior Courts, on proof, by affidavit, to the satisfaction of such Judge, that some important question of law or evidence is likely to arise in such action, rendering it advisable to have such action

Cases within the jurisdiction of the County Court of York or Peel not to be brought in the Superior Courts, unless upon Judge's fiat founded on affidavit.