

BILL.

An Act to alter and amend the practice and proceedings in actions of Ejectment, in Upper Canada.

WHEREAS the present mode of proceeding in actions of Ejectment, occasions not only unnecessary delays, but is attended with great inconvenience and useless expense to the parties: And whereas it is expedient to provide that, in future, all actions of Ejectment and the proceedings therein, may be commenced and conducted to final judgment and execution as hereinafter provided: Be it therefore enacted, &c.

Preamble.

That in future all actions of Ejectment shall and may be commenced and prosecuted to final judgment and execution in the several Counties or united Counties of Upper Canada, in the manner hereinafter provided.

Actions of ejectment to be commenced, &c. as hereinafter provided.

II. And be it enacted, That in every such action of Ejectment, the declaration, pleadings, papers, and all other proceedings therein, shall be filed in the office of the Clerk of the Crown and Pleas, or in the office of the Deputy Clerk of the Crown and Pleas, as the case may be, in the County or United Counties, as may be, in which the lands and premises sought to be recovered are situated.

In what place the declaration, &c. shall be filed.

III. And be it enacted, That in future the Lessor or Lessors of the Plaintiff or Plaintiffs in any action of Ejectment, shall, instead of the notice now required to be given to the tenant or tenants in possession of the premises, indorse upon the declaration to be filed, and upon the copy or copies thereof to be served, a notice in writing, in the form given in the Schedule to this Act; and the Lessor or Lessors of the Plaintiff or Plaintiffs, upon filing the declaration and notice and the affidavit of service thereof, with a motion paper for judgment against the casual ejector, may, after the expiration of the time limited in such notice, and no plea having been filed, enter final judgment and sue out a writ of possession from the office of the Clerk of the Crown and Pleas, or his Deputy, as the case may be, in the County or United Counties wherein the proceedings in any such action shall have taken place.

Lessor of Plaintiff to insert notice in form of Schedule on the declaration.

In case of no plea, judgment may be entered, and writ of possession taken out; and where.

IV. And be it enacted, That upon the Defendant or Defendants entering into the necessary and usual consent rule, and filing the same, together with his plea, in the office with the declaration, it shall and may be lawful for

After consent rule in usual form, the case may go to judgment as if the proceed-