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**BILL.**

An Act to amend the law, simplify the practice, and reduce the expense of legal proceedings in Upper Canada.

**W**HEREAS the mode of proceeding in many cases in the Superior Courts of Law in Upper Canada is attended with unnecessary forms and expense :—Be it therefore enacted, &c. Preamble.

- 5 And it is hereby enacted by the authority of the same, That hereafter in personal actions no summons or writ of mesne process shall be required except in actions where it is intended to hold the defendants or some or one of the defendants to special bail, and in actions of Replevin, Summons and writ of mesne process to be required in certain cases only.
- 10 but that all civil suits at Law, except as aforesaid, in the several Courts of Record in Upper Canada, shall be commenced by filing a declaration in the form heretofore used in the particular case, in the proper office of the Clerk or County or Deputy Clerk of the Court in which Mode of commencing actions in other cases.
- 15 the action shall be brought, omitting any allusion to the service of a writ or summons on the Defendant, and also omitting any claim or allusion to any privilege of any description by or against any party in such declaration, a copy of which declaration shall be served personally
- 20 upon each defendant, or in the case of a Corporation upon the officer who might formerly have been served with process, together with a notice in the form or to the purport of that to this act annexed, marked Schedule A; Provided that the practice with respect to the service Proviso, as to service of particulars;
- 25 of particulars of demand with the declaration, shall be and remain the same as before the passing of this Act until otherwise ordered by the Court, and that in any notice of action required by any statute or otherwise, to be given one month or any other time previous to the And as to notices of action.
- 30 commencement of any action against any Justice of the Peace, or any other person or party, when it is intended to commence the action by filing a declaration as provided by this Act, the Plaintiff in such notice shall and may state his intention of filing a declaration instead of issuing
- 35 process, and that in other respects the notice shall remain as before the passing of this Act, except in so far as any variation therein may be necessary to make such notice conformable to the change hereby instituted in the commencement of the action.

- 40 II. And be it enacted, That after such service and upon proof thereof duly made by affidavit filed, every On proof of service of declaration.