

BILL.

An Act for the Improvement of the Practice of Law, and for limiting the amount of Costs to be taxed and recovered in certain Courts in Upper Canada.

WHEREAS it is expedient to make alterations for Preamble.
 improving the Practice of the Law as it at present
 exists in Upper Canada, and to fix a limit to the amount
 of Costs to be taxed and recovered in certain Courts
 5 therein: Be it therefore enacted, &c.

That in every civil action hereafter to be tried in the General Issue to be the only plea in bar.
 Court of Queen's Bench, Court of Common Pleas or
 County Court, all matters of law or of fact, in defence of
 such action, may be given in evidence under the general
 10 issue, and no other plea in bar of such action shall be
 pleaded.

That the respective Courts aforesaid are hereby autho- As to notice of facts intended to be proved.
 rized to pass such general and special rules and orders
 respecting notice to the opposing party of matters intended
 15 to be given in evidence by either party to a suit, as shall
 be necessary to prevent surprise and to afford opportunity
 for preparation for trial.

That whenever a plaintiff in any action shall have mis- Special demurrers abolished, &c.
 taken the form of action suited to his claim, the Court, on
 20 motion, shall permit amendments to be made on such
 terms as they shall judge reasonable; and all special
 demurrers are hereby forever abolished.

That from and after the passing of this Act, in any suit Costs recoverable limited.
 which may be instituted in any of the Courts in Upper
 25 Canada hereinafter named, the costs (exclusive of all
 disbursements) to be taxed and recovered by either
 plaintiff or defendant, shall not exceed the following
 amounts, viz. :—

In the Court of Appeals, the sum of.	£20	0	0
30 In the Court of Chancery, the sum of.	15	0	0
In the Court of Queen's Bench and Common Pleas.	10	0	0
In the County Courts, respectively.	5	0	0

That in any action for assault, battery, false imprison- No more costs than damages in certain cases.
 35 ment, libel, slander, malicious prosecution, criminal con-
 versation or seduction, if the plaintiff recovers less than
 £10, he shall receive no more costs and charges than
 damages.