

An Act to extend and increase the Jurisdiction of Division Courts in Upper Canada.

HER Majesty, by and with the advice and consent of the Legislative Preamble. Council and Assembly of Canada, enacts as follows :

Jurisdiction.

1. The Judge of every Division Court may hold plea of and may hear and determine in a summary way, for or against persons, bodies corporate, or otherwise,—all actions on Promissory Notes or Bills of Exchange, where the debt or damages claimed do not exceed Two hundred dollars. On Promissory Notes and Bills.

Examination of Debtors--Attachment of debts and proceedings against Garnishees.

2. The sections of the Common Law Procedure Act of Upper Canada, numbered from two hundred and eighty-seven to two hundred and ninety-nine, (both inclusive) are hereby extended to the Division Courts, and also to judgments and parties, and debtors and judgment creditors and judgment debtors, and to those indebted to judgment debtors, and to the debts due by them, and also to Garnishees in the several Division Courts of Upper Canada, in so far as the same can be made applicable for affording satisfaction and facilitating the recovery of debts and judgments in the said Division Courts by attachment. Sects. 287 to 299 of cap. 22 Con. Stat. U. C. extended to Division Courts.

3. All proceedings and matters under this Act, had in the Division Courts, shall be disposed of after the practice of the said Courts without formal pleadings, and the powers of the Courts and officers, and the proceedings generally thereunder shall be as nearly as may be, the same as in other cases which are within the jurisdiction of the said Division Courts. Practice in cases under this Act.

Commissioners to Examine Witnesses.

4. The Sections of the Consolidated Statutes for Upper Canada, chapter thirty-two, numbered from nineteen to twenty-one, both inclusive, are hereby extended to the Division Courts, and also to suits and complaints, and evidence, parties and witnesses therein, so far as the same can be made applicable. Sects. 19 to 21 of Cap. 32, Con. Stat. U. C. extended.

5. The same costs shall be allowed for commissions issued under this Act and proceedings connected therewith, as may be allowed from time to time for Commissions issued in the County Courts in Upper Canada, subject to such reduction as the Judge before whom the cause is tried may think reasonable, and such Judge shall also have the power to apportion the costs between the parties as he may think proper; Costs on Commissions.