

decision of the said court or any of them, or of abridging or affecting the right of any party to such remedy as before the passing of that act might have been obtained in the Court of Appeal thereby abolished; but might in all respects extend the manner of obtaining such remedy by regulating the practice of the said court in whatever way might to them seem expedient for better attaining the ends of justice; and that all such rules, orders or regulations should be laid before both houses of the Provincial Parliament, if then in session, immediately upon the making of the same, or if the Parliament should not be then in session, then within five days after the meeting thereof; and that no such rule, order or regulation should have effect until within six weeks after the same should have been so laid before both houses of the legislature, and that any such order so made should, from and after such time aforesaid, be binding and obligatory on the said court and all other courts in the said province of Upper Canada to which the same should be made expressly to extend.

*It is therefore ordered—*

I. That the first process in appeal from judgments of the Courts of Queen's Bench or Common Pleas, shall be by a writ of appeal, which may be in the following form:—

UPPER CANADA.

[L. S.] Victoria, &c.

To the Honorable — Chief Justice of the Court of —, *Greeting:*

Form of writ  
of appeal  
from Q. B.  
or C. P.

Whereas, in the record and proceedings, and also in the giving of judgment in a certain suit in our Court of our Bench for Upper Canada (or in the Court of Common Pleas) between A. B. and C. D., in a plea of trespass on the case (or as the case may be) as it is said manifest error hath intervened, as by the said (appellant) we are informed: We therefore, being willing that the error, if any there be, should, according to the laws of Upper Canada, be duly corrected, do command you that without delay you send under the seal of the said court the record and proceedings aforesaid, with all things concerning the same, to our Court of Error and Appeal, that the said Court of Error and Appeal (the record and proceedings aforesaid being seen and examined) may further cause to be done thereupon what of right and according to the laws aforesaid ought to be done.

Witness the Honorable —, Chief Justice, &c.

In what ca-  
se writ to  
issue, and  
upon what  
security.

II. That such writ may issue in all cases where by law an Appeal lies to this court from the judg-