

6-7 EDWARD VII., A. 1907

concurred in giving, making or pronouncing such Judgment, or in awarding such Writ of Execution.

And, to the Intent that this Part of the Jurisdiction of the said Courts of Common Pleas, which attaches upon matters where the Value of the Thing in Demand does not exceed the Sum of Twelve Pounds, and the manner and Form of proceeding therein may be clearly comprehended, so as to enable the Party, either by himself or his Agent, to Prosecute his own means of Redress with Dispatch, certainty, and Moderation in Point of Expence; It is further Ordained and Declared by the Authority aforesaid, That from and after the Day of the Date of the Publication aforesaid, in all Matters where the Cause of Action shall not exceed the Sum of Twelve Pounds Currency, no Process whatsoever shall issue against any Defendant or Defendants until the Plaintiff or Plaintiffs, or his, her or their Agent or Agents shall have first produced and left with, or being unable to write or read, shall have first procured, from the Clerk of the Court in which such Action is intended to be brought, who is hereby ordered and required to make out the same, a Declaration either in English or French Language, according to the following Form.

No Process to
issue against
any Defendant
till the
Plaintiff has
filed his Declaration.

Form of
Declaration.

Quebec

Montreal

Day of

177

A B - Plaintiff

C.D- Defendant

The Plaintiff demands of the Defendant the Sum of due to the Plaintiff from the Defendant, for which Said Sum, though Often demanded, still remains due; therefore the Plaintiff demands Judgment.

Manner of
taking out
the Summons,

Which Declaration, being so produced to and left with, or so as aforesaid made out by the Clerk of the Court in which such Action is intended to be brought, shall be filed by the Said Clerk with the other Records of the Court, and the said Clerk shall immediately make out an attested Copy thereof, and upon the back of such Copy Indorse a Summons, to which he shall procure the name of One of the Judges of the said Court to be set, commanding the Defendant either to pay the Debt and Costs to the Plaintiff, or else to appear upon some subsequent Court Day, according to the Discretion of the Judge who signs the same, Regard being had to the Distance of the Defendant's Place of Residence, and the means of Communication therewith, which Summons shall be in the following Form.

and attesting
the same

To C. D. the Defendant in this Action.

Form of the
Summons.—

You are hereby commanded and required to pay to the Plaintiff the within named Sum of together with