



# BRITISH COLUMBIA.

ANNO TRICESIMO SECUNDO

## VICTORIÆ REGINÆ.

\*\*\*\*\*

No. 18.

### An Ordinance to amend the Procedure in Civil Cases.

[9th March, 1869.]

**WHEREAS** it is expedient to amend the Procedure of the Superior Courts of this Colony in Civil Cases; Preamble.

Be it enacted by the Governor of British Columbia, with the advice and consent of the Legislative Council thereof, as follows:

I. The "Vancouver Island Civil Procedure Act, 1861," is hereby repealed; provided, however, that such repeal shall not invalidate or affect any acts, matters, or things done, or any proceedings taken, or any rights acquired thereunder. V. I. Civil Procedure Act repealed, saving existing rights.

II. "The Common Law Procedure Act, 1852," "The Common Law Procedure Act, 1854," "The Common Law Procedure Act, 1860," and the Rules of Practice and Pleading made in pursuance of the said Acts, or either of them, shall as far as the adoption of the same is practicable, and subject to the provisions hereinafter contained, regulate the Practice and Procedure of each and every of the Superior Courts of this Colony in all Actions and Proceedings at Law. Common Law Procedure Acts, 1852, 1854, and 1860, and Rules of Practice thereunder to regulate procedure of Supreme Courts.

III. The Sections from 104 to 115, both inclusive, of "The Common Law Procedure Act, 1852," shall not apply. Sections 104 to 115 repealed.

IV. The several Statutory Enactments regulating the Practice, Pleadings, and Procedure of the High Court of Chancery, in force on the 14th day of February, 1860, and the several Orders and Regulations in force in the said High Court on the said 14th day of February, 1860, shall, as far as practicable, regulate the Proceedings of the said Courts, and each of them sitting in Equity. Rules of Practice in Chancery.

V. The Judge of either of the said Courts may, from time to time, with the approval of the Governor for the time being, make and publish General Orders for modifying such Procedure at Law, or in Equity, in the Court in which he presides. Alteration of Rules may be modified in certain cases.

VI. This Ordinance may be cited for all purposes as the "Civil Procedure Ordinance, 1869."

*Passed the Legislative Council the 27th day of February, A. D. 1869.*

CHARLES GOOD,  
*Clerk of the Council.*

WILLIAM A. G. YOUNG,  
*Presiding Member.*

*Assented to, on behalf of Her Majesty, this 9th day of March, 1869.*

FREDERICK SEYMOUR,  
*Governor.*

VICTORIA, B. C.:

PRINTED AT THE GOVERNMENT PRINTING OFFICE.