

**BILL.**

An Act to simplify the Administration of Justice in Civil Actions in Upper Canada.

**WHEREAS** it is expedient to abolish the technical distinctions which now exist between forms of action at Common Law, and also between legal and equitable remedies, which it is desirable should henceforth be administered by the same tribunals: Be it therefore enacted, as follows:

I. That an Act of the late Parliament of Upper Canada, passed in the seventh year of the Reign of his late Majesty King William the Fourth, entitled, "*An Act to establish a Court of Chancery in this Province*;" also two several Acts of the Parliament of Canada, passed in the twelfth year of the Reign of Her present Majesty, entitled respectively, "*An Act for the more effectual administration of Justice in the Court of Chancery in the late Province of Upper Canada*," and also "*An Act to make further provision for the administration of Justice by the establishment of an additional Superior Court of Common Law, and also a Court of Error and Appeal in Upper Canada, and for other purposes*," be and the same are hereby repealed.

Preamble.

Acts 7 W. 4  
c. 2, U. C. and

12 Vict. c 63,  
and 64,  
repealed.

II. The Court of Queen's Bench shall be presided over by a Chief Justice and five Puisne Judges, of whom not more than four shall sit together to hear causes, except when they shall sit as hereinafter provided for re-hearings, and shall possess an equitable as well as legal jurisdiction, and have power to pronounce judgment upon the facts established in each cause, either in accordance with the principles of law or equity, as the merits and justice of the case may require, without reference to the form of proceeding that may have been adopted to ascertain such facts; and that the County Courts within their respective Jurisdictions shall have the same authority.

Court of  
Queen's  
Bench: its  
powers.

County  
Courts

III. The said Judges of the Queen's Bench may in their discretion sit in divisions of two each to hear causes, or four of the said Judges may hold one Court, as the Judges shall deem most beneficial for the expedition of business.

Judges to sit  
in divisions.

IV. One of the Judges shall sit in chambers every day if occasion require, to hear matters of practice and other

Chamber  
business.