

equitable defence at law, but nothing in this clause shall apply to any suit or action commenced and pending before the passing of this Act, which shall be decided upon as if this Act had not been passed, and this Act shall not be construed as declaring that such judgment at law on an equitable defence has not been heretofore a good bar to a suit in equity on the same subject matter.

Suits brought
in U. Canada
for causes for
which actions
are pending
in other coun-
tries.

5. If any suit or action is brought in any Court of Law or Equity for any cause of action for which any suit or action has been brought and is pending between the same parties or their representatives in any place or country out of Upper Canada, such Court or any Judge thereof shall make a rule or order to stay all proceedings in such first-mentioned Court of Law or Equity, until satisfactory proof is offered to such Court or Judge that the suit or action so brought in such other place or country out of Upper Canada is determined or discontinued.