

amount by such writ of *feri facias* directed to be levied, or so much thereof as shall not have been otherwise levied and raised.

XXII. And be it enacted, That it shall and may  
 5 be lawful for the judgment creditor, upon a return of *nulla bona*, to sue for and recover of and from any party indebted to the judgment debtor, the amount of the debt so owing by such party to the said judgment debtor, or so much thereof as may be necessary to satisfy  
 10 such judgment and execution; and any payment made by any such party to such judgment creditor shall be considered legal and valid, and shall operate as a payment and discharge of the debt, (or so much thereof as the case may be,) due to the judgment debtor; and that in any  
 15 such action the Plaintiff may declare in the form or to the purport of the form of the schedule to this Act annexed, marked C, adapting the same to the nature of the cause of action.

Judgment creditor may recover from the debtors of the judgment debtor.

XXIII. And whereas it is expedient to extend the provisions of the Act of the Parliament of Upper Canada, passed in the fifth year of the Reign of His late Majesty King William the Fourth, and intituled "*An Act to prevent the unnecessary multiplication of Law-suits and increase of Costs in Actions on Notes, Bonds, Bills of Exchange*  
 25 "*and other instruments*:"—Be it therefore enacted, That it shall and may be lawful to include the several parties to any bill or note whatever may be the amount for which the same is payable, in one action, and all the provisions of the said Act shall extend and apply to any  
 30 such action in the same manner and to the same extent as if the second and twelfth sections thereof had contained no proviso restricting the operation thereof to notes and bills made for a sum not exceeding one hundred pounds, and that from and after the passing thereof, the said  
 35 second and twelfth sections so far as they limit the operation of the said Act to notes and bills made for a sum not exceeding one hundred pounds, shall be and the same are hereby repealed, and furthermore that all the provisions of the said Act, in force at the time of the passing hereof,  
 40 shall extend and be held to apply to any action to be commenced by filing a declaration under the provisions contained in the first section of this Act on any bill of exchange, promissory note, or otherwise, in the same manner and to the same extent as such provisions applied  
 45 to such actions when commenced by process before the passing hereof.

Recital, Act of U. C. 5 W. 4, c. 1.

The said Act extended to actions on Bills or Notes, whatever be the amount demanded.

XXIV. And be it enacted, That the endorser of any note, or the drawer or endorser of any bill of exchange shall be entitled to recover and may recover from the maker  
 50 of such note or the acceptor of such bill in an action upon the common count for money paid, any costs, charges

Endorser may on the common count for money paid, recover expenses actually incurred by