

An Act to establish Courts of Conciliation in Upper Canada.

**WHEREAS** the moral power that would be exercised by Courts of Conciliation might have a very beneficial tendency in preventing expensive, vexatious, uncertain and prolonged lawsuits, which occupy much of the time of Courts, Judges, Jurors and Witnesses, and are productive of ill-will, envy and strife in society; And whereas it is desirable to establish such Courts for the prompt and final determination of controversies having their origin in passion, excitement and misapprehension—for repressing the spirit of litigation—for lessening the necessity of taking oaths—for avoiding needless exposures of human frailty in the legal tribunals—and for encouraging the speedy and amicable settlement of disputes and differences arising between friends and neighbours: Be it therefore enacted, &c., as follows,

Courts of Conciliation established.

I. Tribunals are hereby established in the several Counties of Upper Canada, to be known as the Courts of Conciliation.

II. A Court of Conciliation shall be held in each of the said Counties by the County Judge. It may be held on any juridical day, and wherever, in his County, the Judge may happen to be.

Where, when and by whom to be held.

III. The causes of action of which this Court shall have cognizance, are assault, battery, false imprisonment, breach of promise of marriage, libel, slander, malicious prosecution, and personal violence of any kind.

In what cases they shall act.

IV. Any person claiming to have a cause of action against another, in any of the cases mentioned in section III, may serve on him or her a written notice, mentioning the alleged cause of action, and requiring him or her to appear in relation thereto before the Court of Conciliation of the County where the notice is served, at a specified time, not less than five days from the time of service, such notice must be served in the manner prescribed for a summons in a civil action, and shall cost.

Summons to attend Conciliation Court.

V. At the time specified in the notice or at any other time to which the hearing may be adjourned by the Court, the parties appearing must be received by the Judge apart from all other persons, except that when an infant or a woman is a party to a proceeding before the Court, such infant or woman may be attended by the husband or guardian of such party, or if there be none, then by some friend approved by the Court; and thereupon it shall be the duty of the Judge to hear the allegations and explanations of the parties, to inform them of their respective rights, and to endeavour to reconcile their differences.

Parties to appear and be heard in private.

Judge's duty