

or equitable defence, or such facts as would make it incumbent on the holder to prove consideration, or such other facts as the judge may deem sufficient to support the application, and on such terms as to security or otherwise as to the judge may seem fit.

5 VI. After judgment, the Court or a Judge may, under special circumstances, set aside the judgment and, if necessary, stay or set aside execution, and may give leave to appear to the writ, and to defend the action, if it shall appear to be reasonable to the Court or Judge so to do, and on such terms as to the Court or Judge may seem just.

Judgment may, under special circumstances, be set aside, and how.

10 VII. In any proceedings under this Act, it shall be competent to the Court or a Judge to order the bill or note sought to be proceeded upon to be forthwith deposited with an officer of the Court, and further to order that all proceedings shall be stayed until the plaintiff shall have given security for the costs thereof.

Deposit of Bill, &c., and security for costs, may be ordered.

15 VIII. The holder of every dishonored bill of exchange or promissory note shall have the same remedies for the recovery of the expenses incurred in noting or protesting the same for non-acceptance or non-payment, or otherwise, or of damages, where damages for non-payment are by law recoverable, by reason of such dishonor, as he has under this Act for the recovery of the amount of such bill or note.

Same remedy for expenses of protest, damages, &c., as for amount of Bill or Note.

25 IX. The holder of any bill of Exchange or promissory note may proceed against all the parties to such bill or note under this Act in one action in conformity with the provisions of the Acts of the Parliament of Upper Canada, and of this Province, enabling the bringing a joint action against all the parties to any bill of Exchange or promissory note.

All parties to the Bill or Note may be sued in one action under this Act.

And with respect to proceedings for the revival of judgments, Be it enacted as follows :

30 X. The two hundred and second section of the Common Law Procedure Act, 1856, is hereby repealed, and during the lives of the parties to a judgment or those of them during whose lives execution may at present issue within a year and a day without a *scire facias*, and within six years from the recovery of the judgment, execution may issue without a renewal thereof.

Sect. 202 of 19, 20 V. c. 43, repealed, and new provision made.

And with respect to Equitable defences ; Be it enacted as follows :

40 XI. The two hundred eighty-seventh section of the Common Law procedure Act, and the words placed between that and the next preceding section, are hereby repealed, and after this Act shall come into force it shall be lawful for the defendant

Sect. 287 of 19, 20 V. c. 43, repealed and new provision made.