

INDEX TO COMMON LAW RULES AND STATUTES.

ACTION.

In trespass or case, declaration may be in either form, 150; counts for trespass and slander may be joined, 150, (*note*); on foreign judgments where party was not served with process in original suit, he may set up any defence in law or fact which would have been available if action were brought upon original claim, 157; instituted in consequence of adultery in any Court of Common Law or of Marriage and Divorce, not subject to provisions of 19 Vic. c. 41, 93.

AFFIDAVIT.

Papers annexed to, to be marked with initials of Commissioner, &c. 132; except on affidavit of service of writs by Sheriff, 133; of illiterate person, to be read over, &c., and noted in the jurat, 132; where more than one deponent, jurat to contain the names, 132; for taxation of costs, to be filed, 134; for service of process at dwelling, 137; filed in British, Foreign or Colonial Court, how proved, 94; to hold to bail, or relating to judicial proceedings made before a Judge of a British, Foreign or Colonial Court, 94; on motion, when and how answered, 98; to obtain order to produce documents, 100; taken abroad, before whom and how proved, 101, 2; informality in, when made under 27 Vic. c. 40, no objection to, 103; for judgment as in case of a nonsuit, when served, 134; what it should contain, 135; when no notice of trial given, 146.

APPEAL PAPER.

In Equity, how prepared and when heard, 140; in Divorce and Matrimonial causes, how made up and when heard, 147.

APPEARANCE.

Time for, to bailable and non-bailable process, 149; notice and filing of, sufficient without common bail, 149.

ATTACHMENT.

When to be taken out, and how, 138; writs of, how issued from Crown Office, 146; when-issued against witness refusing to appear before Commissioners, 105.

ATTORNEY.

Application for admission of, 130; for admission as a Barrister, 130; service of papers on, 147; when a graduate of some and what University, 143; signing judgment on a Warrant of Attorney, must set out the date of signing and mark the papers with his initials, 142.

BAIL.

To Sheriff may render principal at any time before return of process, 155; may render after time for putting in special bail has expired, without putting in special bail, 155; when render made Sheriff may take new bail, 155. See *Special Bail*.

BARRISTER.

Admission of, 130; from other Courts, 131; from other Colonies admitted *ad eundem*, 140.

BILL OF EXCEPTIONS.

To a Judge's construction of a Statute or Ordinance of a Foreign State or British Colony, 101.

BILL OF YORK.

Abolished, 149.

BILLS OF EXCHANGE. See Promissory Notes.

CAUSE.

Must be entered before signing interlocutory or final judgment, except in warrants of Attorney, 132; when not entered on account of proposal to settle, Court refuse to allow it to be entered, 133; so when trial had taken place without entry of, 133.