

- sworn before the Chief Justice or Judge of any Court of Superior Jurisdiction in the Country wherein such Defendant shall reside or be served, or before the Mayor or Chief Magistrate of any City, Town or place wherein the Defendant shall reside
 5 or be served, or before any Consul General, Consul, Vice-Consul, or Consular Agent for the time being, appointed by Her Majesty at any foreign port or place at or near which the Defendant shall reside or be served, and every affidavit so sworn by virtue of this Act, may be used and shall be admitted
 10 in evidence saving all just exceptions, providing it purport to be sworn before such Chief Justice, Judge, Mayor, or Chief Magistrate, Consul General, Consul, Vice Consul, or Consular Agent ; Provided always, that if any person shall forge any signature to any such affidavit, or shall use or tender in evidence
 15 any such affidavit with any false, forged or counterfeit signature thereto, knowing the same to be false, forged or counterfeit, he shall be guilty of felony, and shall upon conviction, be liable, at the discretion of the Court, to be kept confined at hard labour in the public Penitentiary of this Province, for any term not less than
 20 four years nor more than ten years, and every person who shall be charged with committing any felony under this Act, may be dealt with, indicted, tried, and if convicted, sentenced, and his offence may be laid and charged to have been committed, in the county or place in which he shall be apprehended or be
 25 in custody ; and every accessory before or after the fact to any such offence, may be dealt with, indicted, tried, and if convicted, sentenced, and his offence may be laid and charged to have been committed, in any county or place in which the principal offender may be tried ; Provided also, that if any person
 30 shall wilfully and corruptly make a false affidavit before such Chief Justice, Judge, Mayor, Chief Magistrate, Consul General, Consul, Vice Consul or Consular Agent, every person so offending shall be deemed and taken to be guilty of perjury, in like manner as if such false affidavit had been made
 35 in Upper Canada before competent authority, and may be dealt with, indicted, tried, and if convicted, sentenced, and his offence may be laid and charged to have been committed, in that county or place where he shall have been apprehended or be in custody.
- taken against a party out of the jurisdiction, before whom to be made.
- Proviso. Punishment for forging signatures, &c.
- Accessories.
- Proviso : trial, punishment, &c., for taking false affidavits out of U. C.
- 40 XLI. In all cases where the Defendant resides within the Jurisdiction of the Court, and the claim is for a debt or liquidated demand in money, with or without interest, arising upon a contract express or implied, as for instance, on a Bill of Exchange, Promissory Note or Cheque, or other simple con-
 45 tract debt, or on a bond or contract under seal for payment of a liquidated amount of money, or on a statute where the sum sought to be recovered is a fixed sum of money, or in the nature of a debt or on a guarantee, whether under seal or not, where the claim against the principal is in respect of such debt or
 50 liquidated demand, bill, note or cheque, the Plaintiff shall be at liberty to make upon the Writ of Summons and copy thereof,
- In demands for liquidated sums, certain particulars may be indorsed on the writ.