

## SESSIONAL PAPER No. 18

also to pay & satisfy the Debt & Costs, as well of the original Judgement, as of the Appeal, in case the original Judgement shall be affirmed in such Court of Appeal.

Provided always that such Appeal be prosecuted out of the Court below, & entered with the Clerk of the Council or other Officer appointed to receive Appeals from the inferior Courts within        Months after Judgment shall have been given in such inferior Courts.

And whereas the providing an easy plain & summary Method of proceeding for the Recovery of small Debts, very much contributes to promote Industry & to support & encourage useful Credit, and to the intent that the manner of Proceeding in such Actions where the Matter in dispute does not exceed the sum of ten Pounds sterling Money of Great Britain may be clearly comprehended so as to enable the Party to prosecute his own Means of Redress by himself or Agent with Dispatch certainty & Moderation in point of Expence; It is enacted & declared &c<sup>a</sup> That from & after the Publication of this Ordinance in all Matters where the Cause of Action shall not exceed the Sum of ten Pounds as aforesaid. No Process whatsoever shall issue against any Defendant or Defendants untill the Plaintiff or Plaintiffs or his, her or their Agent or Agents shall have produced & left with, or being unable to write or read, shall have first procured from the Clerk of the Court of Common Pleas in which such Action is intended to be brought who is hereby ordered & required to make out the same a Plaint or Declaration either in the English or French Language according to the following form.

*Quebec*

Montreal

Day of

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A. B. Plaintiff

C. D. Defendant

The Plaintiff demands of the Defendant the sum of        due to the Plaintiff from the Defendant for        which said sum though often demanded, still remains due, Therefore the Plaintiff demands Judgement; which Declaration being so produced to, and left with or so as aforesaid made out by the Clerk of the Court in which such Action is intended to be brought, shall be filed by the said Clerk with other Records of the Court, and the said Clerk shall immediately make out an attested Copy thereof & upon such Copy indorse a summons to which he shall procure the Name of one of the Judges of the said Court to be set commanding the Defendant either to pay the Debt & Costs to the Plaintiff, or else to appear on some subsequent Court day, according to the Discretion of the Judge who signs the