

1852-3.]

BILL.

[No. 320.

An Act to amend repeal and consolidate the provisions of certain Acts therein mentioned, and to simplify and expedite the proceedings in the Courts of Queen's Bench and Common Pleas in Upper Canada.

WHEREAS it is expedient to simplify and expedite the proceedings Preamble.
in the Courts of Queen's Bench and of Common Pleas for Upper Canada; Be it enacted, &c.,

5 That the provisions of this Act shall come into operation on the Commence-
day of ment of Act. 18

And with respect to the sealing and issuing of writs and to the offices of the Courts of Queen's Bench and Common Pleas in the different Counties or Union of Counties; Be it enacted,—

10 II. That there shall be an officer appointed by the Governor of this Clerk of pro-
Province, who shall be called the Clerk of the Process, and who shall cess to be
receive a salary of £ per annum, payable by four quarterly pay- appointed.
ments, out of the Consolidated Revenue Fund of this Province.

15 III. The Clerk of the Process shall be deemed an officer of both of the His duties.
said Superior Courts of Common Law, and shall also discharge the du- To have an
ties of Clerk of the Judges in Chambers and Clerk of the Practice office in Os-
Court. He shall have an office in Osgoode Hall, and a reasonable goode Hall,
allowance for the printing and procuring blank forms of all Writs and provide
Process, and he shall be subject to such rules for his governance in his forms &c.
office, as shall be, from time to time, made in that behalf, according to the provisions of the 240th Section of this Act.

20 IV. The Clerk of the Process shall have seals for the sealing To seal the
of writs for each of the said Courts, to be approved by the Chief writs of both
Justice of each Court respectively, and he shall sign and seal all Courts &c.
writs and process whatsoever, which are to be issued from either of the Proviso: to
25 said Courts, and shall from time to time supply, and shall keep sup- supply depu-
plied, all and every the Clerks and Deputy Clerks of the Crown and ties, and is
Pleas of each Court with such writs and process, signed and sealed by sue writs in
him, and ready to be issued, as may be required; Provided that he in either
30 shall supply to each such Clerk or Deputy Clerk, an equal number of Court alterna-
writs for the commencement of actions in each of the said Courts, and tively by
it shall be the duty of such Clerks and Deputy Clerks to issue twenty twenties.
writs for the commencement of actions in one of the said Courts, before issuing any in the other of the said Courts, and then to issue twenty
35 writs for the commencement of actions in such other Court and so on alternately without varying.

V. The Clerk of the Process shall make quarterly returns, veri- Accounts to
fied by his affidavit to the Inspector General, of all writs and pro- be rendered to
him, and by him.