

P.

Legis Council.

BILL.

AN ACT to provide that Plaintiffs shall in certain cases
give security for Costs.

WHEREAS it sometimes happens that a vexatious ^{Preamble.} and unjust action is brought by a person who is possessed of no property, and is unable to defray the costs of such action, whereby a Defendant may be subjected to great loss, without any redress against the party who occasions it: And whereas it is desirable to afford protection to defendants in such cases:

Be it therefore enacted, &c.

That whenever any action shall be instituted, and the
10 Defendant shall make an affidavit before any Commissioner of the Court of Queen's Bench, or of the Common Pleas, that such action is in his opinion vexatious and unjust, and that he does not believe the Plaintiff, in the event of his failing in such action, will be able to pay
15 the costs thereof, it shall and may be lawful for the Court in which such suit may be brought, or any Judge thereof, to stay proceedings in such action until the Plaintiff shall give security for costs, in like manner as a Plaintiff is now required to give security when he resides out of
20 the jurisdiction of the Court.