

## BILL.

An Act to alter and amend the Act regulating the Practice of the County Courts in Upper Canada, and to extend the Jurisdiction thereof.

**WHEREAS** it is expedient to alter and amend the Act regulating the Practice of the several County Courts in Upper Canada, and to extend the Jurisdiction thereof: Be it therefore enacted, &c. Preamble.

- 5 That for and notwithstanding any thing contained in the fifth section of the Act passed in the Eighth year of the Reign of Her Majesty, intituled, "*An Act to amend, consolidate and reduce into one Act, the several Laws now in force, establishing or regulating the Practice of* Jurisdiction raised. 8 Vict. c. 12.
- 10 "*District Courts in the several Districts of that part of this Province formerly Upper Canada,*" the said County Courts respectively shall hold plea of all causes or suits relating to debt, covenant or contract, to the amount of fifty pounds; and, in cases of debt or contract,
- 15 where the amount is ascertained by the signature of the defendant, to one hundred pounds, and also in all matters of tort relating to personal chattels, where the damages shall not exceed the sum of thirty pounds, and where the title to land shall not be brought
- 20 in question: Provided always, that any plaintiff having a cause of action within the jurisdiction of the County Court, may institute and carry on such action in either of Her Majesty's Superior Courts of Common Law in Upper Canada, and proceed to judgment and execution thereon, Proviso: Superior Courts to have concurrent jurisdiction with County Courts. As to costs.
- 25 but such plaintiff and all persons and officers entitled to costs and fees therein, shall only be allowed and recover the usual costs and disbursements which would be allowable in case the said action had been instituted and carried on in the County Court; any thing in the fifty ninth
- 30 section of the Act above cited to the contrary notwithstanding: Provided, that in order to designate the proceedings in any such action, as being one also cognizable by the County Courts, all the papers and proceedings filed, issued or used in the said Superior Courts shall be
- 35 endorsed with the words "*Inferior Jurisdiction,*" in order to regulate the costs, fees and disbursements therein, of all persons entitled to make or receive any charge therefor. Proviso: papers shall be specially endorsed, &c.

- II. And be it enacted, that all writs of summons sued out of, and all declarations or other pleadings filed in any
- 40 action or proceeding in any County Court, or notices required to be served in such action or proceeding, may Summons, &c. may be served in any County in Upper Canada.