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No. 85.

1st Session, 6th Parliament, 21 Victoria, 1858.

BILL.

An Act to explain and remove doubts as to
the construction of the Act authorizing
parties to sue and defend causes in *forma pauperis* before the Courts of Law in Lower Canada.

Received and read, first time, Friday, 23rd April,
1858.

Second reading, Monday, 26th April, 1858.

HON. MR. LEMIEUX.

TORONTO:
PRINTED BY JOHN LOVELL, YONGE STREET.

An Act to explain and remove doubts as to the construction of the Act authorising parties to sue and defend causes in *formâ pauperis* before the Courts of Law in Lower Canada.

WHEREAS doubts have arisen as to the true intent and meaning of Preamble.
 the provisions of the Act passed in the Parliament of this Province,
 in the twelfth year of the reign of Her Majesty, Queen Victoria, chapter
 the forty-third, and intituled, "An Act to remove all doubts as to the right
 5 of suing and defending causes in *formâ pauperis* before the Courts of Law
 in Lower Canada," and it is expedient to remove the same: Therefore
 Her Majesty, &c., enacts as follows:

12 V. c. 43.

I. The true intent and meaning of the said Act, is, and shall be held Intent and
 to be, that all the Courts of Law and each of the Judges thereof, includ- meaning of
 10 ing the Vice-Admiralty Court of Lower Canada and the Judge and the said Act
 Deputy Judge thereof, are and shall be empowered, authorized and re- declared. It
 quired, and they, and each and every of them, are hereby authorized extends to the
 and required to permit parties to sue and defend causes in *formâ pauperis*, Court of
 whenever it shall be established by affidavit that such parties, having a Vice-
 15 good cause of action, or a good defence, or a good ground of complaint, Admiralty.
 are unable to establish the same in the ordinary course of Law, from want of the necessary means to defray the fees and charges of the several Officers of the said Courts, whose services may be required in the conduct of causes before such Courts: And the provisions of the Act here-
 20 inbefore mentioned are hereby declared and enacted to apply to the said Vice-Admiralty Court and to the Judge and Deputy Judge thereof res- pectively.