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No. 168.

2nd. Session, 3rd. Parliament, 12 Victoria, 1849.

BILL.

An Act to authorize Defendants to
make full defence in certain cases in
actions upon Foreign Judgments.

Received and Read a first time, Tuesday, 13th
March, 1849.

Second Reading, Monday, 19th March, 1849.

HON. MR. BOULTON.

PRINTED BY LOVELL AND GIBSON.

BILL.

An Act to authorize Defendants to make full defence in certain cases in actions upon Foreign Judgments.

WHEREAS it is expedient to authorize Defendants to make full defence in certain cases in actions upon foreign Judgments: Be it therefore enacted, &c. Preamble.

5 And it is hereby enacted by the authority of the same, That from and after the passing of this Act, in any action hereafter to be tried in any Court of Law in this Province, for the recovery of the amount of any Judgment
 10 obtained in any Foreign Country against any Inhabitant of this Province, who at the time of such action brought, in which the said Judgment may have been obtained, shall have been resident in this Province, and
 15 when the original cause of such action upon which such Judgment shall have been obtained arose in this Province,—the Defendant or Defendants upon the trial of such cause, under a plea of the general issue, *nil debet*
 20 or *non assumpsit*, may go into evidence of the original cause of action and defence, and try the merits thereof, or may plead any matter of defence that might or could have been pleaded, had the action in which such
 25 Foreign Judgment was obtained been tried in this Province; any law or usage to the contrary notwithstanding.

What evidence may be adduced under certain pleas. in an action upon a judgment obtained in a foreign country under certain circumstances.