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No. 159.

1st Session, 4th Parliament, 16 Victoria, 1852.

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 a first time, Monday 11th
October, 1852.

Second Reading, Wednesday, 13th Oct., 1852.

MR. LEMIEUX.

QUEBEC:

PRINTED BY JOHN LOVELL, MOUNTAIN STREET.

(159)

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.

WHEREAS doubts have arisen as to the true intent and meaning of 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 of suing and defending causes in *forma pauperis* before the Courts of Law in Lower Canada," and it is expedient to remove the same; Be it therefore declared, &c.;

Preamble.

12 Vic. cap. 43.

And it is hereby declared and enacted by the authority of the same, that the true intent and meaning of the said Act is and shall be held to be, that all the Courts of Law, and each of the Justices thereof, including the Court of Vice-Admiralty for Lower Canada, and the Judge and Deputy Judge thereof, are and shall be empowered, authorized and required, and are hereby empowered, authorized and required to permit parties to sue and defend causes in *forma pauperis*, as hath been heretofore practised, whenever it shall be established by affidavit that such parties, having a good cause of action, or a good defence, or a good ground for complaint, are unable to establish the same in the ordinary course of law, for 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 said Act hereinbefore first mentioned are hereby declared and enacted to apply to the said Court of Vice-Admiralty, and to the Judge and Deputy Judge thereof respectively.