



AN ACT

To Amend the Procedure in Civil Cases.

WHEREAS, it is expedient to amend the Procedure of the Supreme Court of Civil Justice ;

Be it therefore enacted by the Governor on behalf of Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Vancouver Island and its Dependencies, as follows :

I. "The Common Law Procedure Act, 1852," "The Common Law Procedure Act, 1854," "The Common Law Procedure Act, 1860," and the Rules of Practice and Pleading made in pursuance of the said Acts, or either of them, shall, subject to the provisions hereinafter contained, regulate the practice and procedure of the said Supreme Court of Civil Justice, in all actions and proceedings at law ; and the said Court shall govern itself as nearly thereby as local circumstances will permit.

II. The sections from 104 to 115, both inclusive, of "The Common Law Procedure Act, 1852," shall not apply.

III. The several Statutory Enactments regulating the practice, pleadings and procedure of the High Court of Chancery in force on the 14th day of February, 1860, and the several orders and regulations in force in the said High Court on the said 14th day of February, 1860, shall regulate the proceedings of the Supreme Court of

Civil Justice sitting in Equity, and the said Court shall govern itself thereby so far as local circumstances shall permit.

IV. The Chief Justice may from time to time, with the approval of the Governor for the time being, make and publish General Orders for modifying the procedure at law or in Equity as hereby provided.

V. And a copy of such General Orders shall be presented to the House of Assembly and Legislative Council within fourteen days from the publication of the same; or if not sitting, within fourteen days from the first sitting next after such publication.

VI. This Act may be cited as "The Vancouver Island Civil Procedure Act, 1861."

Passed the House of Assembly 26th September, 1861.

E. BOWERS DOGGETT,
Clerk of the House of Assembly.

Passed the Council 29th October, 1861.

JOSEPH PORTER,
Acting Clerk of the Council.

Received my assent this 14th day of November, A. D. 1861.

JAMES DOUGLAS.