

enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the said recited Act be and the same is hereby continued and made perpetual.

5th William 4th, ch. 3,  
made perpetual.

## CHAP. VII.

*AN ACT to revive, continue and make perpetual a certain Act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled, "An Act to continue and amend the Law for attaching the Property of Absconding Debtors, and for other purposes therein-mentioned."*

[Passed 10th February, 1840.]

**WHEREAS** it is doubtful whether an Act passed in the second year of the reign of His late Majesty King William the Fourth, entitled, "An Act to afford means for attaching the Property of absconding Debtors" is still in force: *And whereas* it is expedient that the same should be revived, continued and made perpetual, and that any proceedings that may have been had or taken under any of its provisions since the same ceased to be in force, should be declared as valid and effectual for all intent and purposes whatever as if the same had not expired: *Be it therefore enacted* by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the said recited Act be and the same is hereby revived, continued and made perpetual, and that all proceedings whatsoever that may have been had or taken on or under the

2d Will. 4th, ch. 5,  
revived and made  
perpetual.

And all proceedings under it declared as valid as if it had not expired.

said recited Act, or any of the provisions thereof, shall be as valid and effectual to all intents and purposes whatsoever as if the same had not expired.

## CHAP. VIII.

*AN ACT to make perpetual certain parts of an Act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled, "An Act to prevent the unnecessary multiplication of Law Suits, and increase of Costs in Actions on Notes, Bonds, Bills of Exchange and other Instruments," and for other purposes therein-mentioned.*

[ Passed 10th February, 1840.]

Preamble.

**WHEREAS** an Act passed in the fifth year of the reign of His late Majesty King William the Fourth, entitled, "An Act to prevent the unnecessary multiplication of Law Suits, and increase of Costs in Actions on Notes, Bonds, Bills of Exchange and other Instruments," is about to expire, and it is expedient to continue the said Act and make it permanent: *Be it therefore enacted* by the Queen's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That the fourth, sixth, seventh, tenth and fourteenth clauses of the said Act be and the same are hereby repealed.

4th, 6th, 7th, 10th, and 14th sections 5 Will. 4th, ch. 1, repealed.

Plaintiffs in actions against several parties to a bill or note, may declare in a given form.

II. *And be it further enacted by the authority aforesaid*, That the Plaintiff in any joint Action against the Drawers, Makers, Endorsers and Acceptors, or any of them, of any Bill of Exchange or Promissory Note, may declare in the form contained in the Schedule hereto annexed upon such Bill or Note, varying the same according to the circumstances of the case.

Defendants may set off several demands, when of a particular description;

III. *And be it further enacted by the authority aforesaid*, That in any such Action the person sued shall be entitled to set off against the said Plaintiff any payment, claim or demand, whether joint or several, which