

C. A. P. VII.

An ACT, in addition to an Act, to regulate the Terms of the Sittings of the Inferior Courts of Common Pleas in this Province, and to enlarge the Jurisdiction of the same, and for the summary Trial of Actions. Passed the 5th of MARCH, 1802.

I. *BE it enacted, by the* LIEUTENANT-GOVERNOR, Council

No Defendant to be held to Bail in any Inferior Court, unless the cause of action exceed £ 10.

and Assembly, That no Defendant shall be held to Bail in any Action hereafter to be brought in any Inferior Court of Common Pleas or Mayor's Court in the City of *Saint John*, unless the Plaintiff's cause of Action shall amount to upwards of *Five pounds*, and Affidavit thereof made and filed as heretofore accustomed.

In all actions for Sums not exceeding £ 20, Declaration to be inserted in the Writ—

And Courts to proceed in a summary way.

No dilatory Plea allowed—and no Judgment reversed for circumstantial Error.

II. *And be it further enacted*, That in all Actions hereafter to be brought in the said Courts wherein the Sum or matter in demand shall not exceed *Twenty pounds*, the Declaration shall be inserted in the Writ, and the said Courts shall proceed thereon in a summary way, in the same manner as is directed in and by the said Act in matters not exceeding *Ten pounds*, in which Actions no dilatory plea shall be allowed, and no Judgment shall be reversed or set aside for any circumstantial Error or defect of form or pleading, or rendering Judgment, where substantial Justice shall appear to have been done.

No action to be removed into the Supreme Court unless the Sum exceed £ 20.

After Judgment, either party may bring Writ of Error.

III. *And be it further enacted*, That no Defendant or Defendants in any Action hereafter to be brought, shall remove such Action into the Supreme Court by Habeas Corpus, unless the matter in demand shall exceed *Twenty pounds*. PROVIDED ALWAYS, that either party after Judgment given, may bring a Writ of Error to remove such Judgment into the Supreme Court.

All actions for sums not exceeding £ 20, to be heard and determined in the Inferior Courts of Common Pleas and Mayor's Court— And in no other Court, unless where Title to Lands shall come in question.

IV. *And be it further enacted*, That all Actions hereafter to be brought, wherein the Sum or matter in demand shall not exceed *Twenty pounds*, shall be heard and determined in the Inferior Court of Common Pleas, in the respective Counties and Mayor's Court in the City of *Saint John*, and no other Court shall hold Plea or Jurisdiction of the same, unless the Title to Lands shall come in question.

Former Act in full force except as here by altered.

V. *And be it further enacted*, That the said Act, except where the same is hereby altered, shall be and continue in full force, any thing herein contained to the contrary notwithstanding.