

INFERIOR COURTS IN NEW BRUNSWICK.

In New Brunswick the Inferior Courts, that is, the Justices Courts having jurisdiction up to \$20 in debt, and the Parish Commissioners and Stipendiary Magistrates' Courts having jurisdiction up to \$80, are a not insignificant part of the judicial machinery, and are frequently resorted to in cases involving \$80 or less.

It is, of course, necessary to provide for an appeal from these Courts, many of which are presided over by magistrates whose legal knowledge is of the most fragmentary kind,^(a) and the Inferior Court Act, under the heading "Review," provides that:

"In all civil causes tried in any Inferior Court, if either party be dissatisfied with the judgment, he may within six days thereafter apply to the magistrate who presided in such Court at the trial for a copy of the evidence, a minute of the cause of action, the grounds of defense and the result, paying him one dollar therefor at the time of the application, and such presiding magistrate shall give him the same within three days; and if he neglect to do so, obedience may be enforced by a Judge's order and attachment. Upon these being laid before a Judge of the Supreme Court, or a Judge of the County Court, with an affidavit of the party that he thinks substantial justice has not been done him, the Judge may at any time within thirty days after such judgment, or after obtaining a copy of the minute aforesaid, appoint a time and place for hearing the matter, and notice thereof shall be given the opposite party; the Judge shall, after such hearing, decide the cause according to the very right of the matter, without regard to forms, unless such presiding magistrate acted wholly without jurisdiction, and may direct that judgment be affirmed, altered or reversed or that a non-suit be entered, and may remit the cause

(a) This statement is borne out by a personal experience of the writer, who once cited Crankshaw's Criminal Code in a Court presided over by a Magistrate named Thomas Shaw.

"That's all right about Crankshaw," was the calm judicial retort; "but I'm Tom Shaw, and what I say goes farther in this Court than Crankshaw."