

At the GENERAL ASSEMBLY of the Province of *Nova-Scotia*, begun and holden at *Halifax*, on the Twenty Eighth Day of *May*, *Anno Domini* 1765, and in the Fifth Year of the Reign of Our Sovereign Lord GEORGE the Third, of *Great Britain, France, and Ireland* KING, Defender of the Faith, &c. being the First Session of the Fourth *General-Assembly* convened in the said Province.

### C A P. I.

#### An ACT for the Summary Trials of Actions.

WHEREAS the Trial of Causes in a summary Way has been found useful, and a means of determining many Suits with little Costs; Be it Enacted by the Governor, Council and Assembly, That the Supreme Court and the Inferior Courts of Common Pleas within this Province, be and are hereby empowered in all Causes of Action brought before them, the Sum Total whereof shall not exceed Ten Pounds, to proceed in a Summary Way by Witnesses to examine the Merits of such Causes, wherein no dilatory Plea shall be allowed, and to determine therein according to Law or Equity, and make up Judgment accordingly; subject to a Writ of Error to be brought from the said Inferior Courts of Common Pleas to the Supreme Court, when the Judgment shall exceed Five Pounds.

Preamble.

The Supreme Court, and Inferior Courts to proceed in a Summary way in Causes not exceeding 10l.

Subject to a Writ of Error.

II. *Provided always*, That when on the Examination of the Witnesses (which shall be taken in Writing) the Matters of Fact from the Evidence may be doubtful, in such Case they may order a Jury to try the same, any former Law of this Province to the contrary notwithstanding.

When the Fact may be doubtful, a Jury may be sworn to try the same.

III. *And be it further Enacted*, That any one of the Justices of the Supreme Court or Courts of Common Pleas within this Province, is hereby empowered in all Causes of Action brought before him, where the Debt does not exceed Ten Pounds, to take the voluntary Confession of the Debtor for the Sum demanded by the Creditor, as agreed between the Debtor and Creditor, and upon such Confession so made by the Debtor, and the Specialty, Contract, or Account on which the

Any one Justice of the Court may take the Confession of the Debtor, and grant Execution thereon.