

PROPOSED LEGISLATION IN NOVA SCOTIA.

7. The table of fees shall be the same as in such Supreme Court, for the like services.

8. The Courts shall not have cognizance of any action:—

1st. Where the title to land is brought in question,—or

2nd. In which the validity of any devise, bequest, or limitation is disputed, except as hereinafter provided, or

3rd. For criminal conversation or seduction, or

4th. For breach of promise of marriage,

5th. Of any action against a Justice of the Peace, for anything done by him in the execution of his office.

9. Subject to the exceptions in the last preceding section, the County Courts shall have jurisdiction, and hold plea in all actions *ex contractu*, when the debt or damages claimed do not exceed the sum of two hundred dollars, and in all actions of tort, when the damages claimed do not exceed one hundred dollars, and in actions on bail bonds given to a Sheriff in any case in a County Court, whatever may be the penalty or amount sought to be recovered.

10. [Pleadings setting up title to land to be verified by affidavit.]

11. [Courts to hold four Terms in a year, and Judge may adjourn to a future day.]

12. [When and where Courts to be held.]

13. If the Judge shall be satisfied, by either party in a cause in his Court, that such cause can be more conveniently or fairly tried in some other County Court, he shall order that the venue be changed, and that the cause be sent for hearing to such other County Court; and the Clerk of the Court shall forthwith transmit by post, to the Clerk of the Court to which the cause is sent, all papers and proceedings in the cause on file in his office, and a certified copy of the order for changing the venue; and such cause shall be dealt with in such Court, as if originally brought therein.

14. [Direction of process to and execution by Sheriffs.]

15. The Evidence Act, and the law relating to the deposition before trial shall apply to the County Courts as far as applicable.

16. [Duties of Clerks, &c.]

17. No defendant shall remove any action commenced in the County Court, into the Supreme Court, by *Habeas Corpus*, or *Certiorari*; and, if any action be brought in the Supreme Court, that could have been brought in a County Court, or any action be brought in a County Court, that ought to have been brought in the Supreme Court, the plaintiff shall not be allowed any costs, unless the presiding Judge shall certify

there was good cause for bringing the action in the Supreme Court or County Court, as the case may be. In case such cause shall be transferred to the Supreme Court or County Court, as the case may be, all further proceedings held therein shall be carried on as if such cause had been originally brought in the Supreme Court or County Court, as the case may be.

18. [General powers of Court and Judge defined, similar to those of our County Courts.]

19. [Appeal given to the Supreme Court.]

20. The County Courts shall have and exercise jurisdiction in all cases under the act for overholding, and under the absent or absconding debtor act, as the same is now exercised by the Supreme Court.

21. No privilege shall be allowed to any person to exempt him from the jurisdiction of the several County Courts; but members of the Legislature shall not be arrested or imprisoned by civil process issued out of any such Courts.

22. Judgment from the County Courts shall bind the lands of the defendants from the time of registry, as in the Supreme Court. Writs of execution shall be in the same form, and of like effect, as those out of Supreme Court.

23. [Writs and process to other Counties.]

24. [Juries same as Supreme Court.]

25. The Judge of any County Court may try and determine causes brought to issue before him without the intervention of a jury, if both parties agree thereto.

26. Appeals from the Magistrates' Courts shall be to County Courts, and shall be tried and determined by the Judge thereof, either summarily or by a jury; and there shall be no appeal from the decision of such judge or jury.

27. [As to pending suits.]

28. The summary jurisdiction of the Supreme Court, except in the County of Halifax, is abolished. Acts inconsistent herewith repealed.

29. The Judge of each County Court shall be, *ex officio*, a Justice of the Peace, in and for the district for which he is appointed; but shall not issue any civil process.

30. Only Attorneys of the Supreme Court may practice in the County Courts.

31. [Seal and books to be provided.]

32. [Fees to Clerk, &c.]

AN ACT ENTITLED AN ACT TO CONFER CRIMINAL JURISDICTION ON THE COUNTY COURTS.

1. The several County Courts in the Province, shall have exclusive jurisdiction of all misdemeanors committed within the body of the respective Counties, and original concurrent criminal juris-