

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the Sixth Day of June, 1770, in the Tenth Year of the Reign of Our Sovereign Lord George the Third, of Great Britain, France, and Ireland, King, Defender of the Faith, &c. and there continued by several Prorogations until the Twelfth Day of June, Anno Domini 1775, in the Fifteenth Year of his said Majesty's Reign, being the Second Session of the Fifth General Assembly convened in the said Province.

15 George III – Chapter 3 (Session 1)

An Act in further Amendment of the several Laws, relative to the summary Trial of Actions.

Whereas many inconveniences do arise in carrying into execution the Act made last session of the General Assembly, intituled, "An Act in further Amendment of, and in Addition to an Act made in the Fifth Year of his present Majesty's Reign, intituled, An Act for the summary Trial of Actions," particularly in the country parts of the Province, where the magistrates live at a great distance from each other.

I. Be it enacted by the Governor, Council and Assembly, that in all causes where the whole dealing or cause of action shall not exceed three pounds, the same shall and may be tried before one or more Justices, who shall proceed therein in manner as directed by the first section of the above recited Act.

II. And be it also enacted, that if any debtor after being duly summoned to appear, shall without just cause to be allowed of by the said Justice or Justices, refuse or neglect to appear, or shall refuse or neglect to perform such order or decree as shall be made concerning such debts as aforesaid, it shall and may be lawful for such Justice or Justices issue execution against the goods and chattels of such debtor, and for want of goods and chattels sufficiently to satisfy such execution with costs, such Justice or Justices shall and may commit such debtor to goal until such debt is discharged, or he be released by the creditor, any law, usage or custom to the contrary notwithstanding.

And whereas many inconveniences arise by the restriction contain'd in the seventh section of the said afore recited Act.

III. Be it enacted, that in all such causes brought as aforesaid, before the said Justice or Justices, costs shall be awarded, as is directed by the sixth section of the afore recited Act, any law, usage or custom to the contrary notwithstanding.