

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 Fifteenth day of June, Anno Domini 1776, in the Sixteenth Year of his said Majesty's Reign, being the Fifth General Assembly convened in the said Province.

16 George III – Chapter 9

An Act in further Amendment of an Act, made in the Sixth Year of his present Majesty's Reign, intituled, "An Act for prescribing the Forms of Writts and the Manner of issuing the same."

Whereas the manner of filing of declarations, and the time of the return of writts, fix'd and prescribed by an Act made in the sixth year of his present Majesty's reign, intituled An Act for prescribing the Forms of Writts and the Manner of issuing the same, hath been found inconvenient. For remedy whereof:

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, that the plaintiff in any action or suit exceeding the sum of twenty pounds, commenced in the courts at Halifax, shall be at liberty to file his declaration any time within three days after the first day of the term to which the writ shall be returnable: Provided, the defendant or his attorney, shall be also within the said three days served with a copy of the said declaration, if the defendant shall live within twenty miles of Halifax, and if at a greater distance the copy of said declaration shall be served at any time within six days of the said first day of the term.

II. And be it also enacted, that in all other courts in the province, the plaintiff in any suit commenced in such court (exceeding the sum of twenty pounds) shall be at liberty to file his declaration at any time within four days of the first day of the term or setting of the court at which the writ shall be returnable, provided also, that the defendant or his attorney, shall be served with a copy thereof within the said four days.

III. And be it also enacted, that at the courts at Halifax, there shall be two return days in each term viz. on the first day and the seventh day of the said term, at which the several writs shall be made returnable, and all such writs shall and may be served upon any defendant any time within fourteen days before said return days respectively, excepting such writs as are served in any other county, which may be returned, and the declaration filed any time during the term.

IV. And be it enacted, that in all causes not exceeding twenty pounds, the declaration shall be inserted in the writ.