

*At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Tuesday the 4<sup>th</sup> day of December 1759, and in the 33<sup>d</sup> year of His Majesty's Reign.*

33 George II – Chapter 22 (Session 2)

**An Act for the summary Trial of Actions.**

Whereas the trial of causes in a summary way in the county of Halifax, hath been found very useful, and a means of determining many suits with little costs;

Be it therefore enacted by the Governor, council, and assembly, and by the authority of the same it is hereby enacted, that the inferior courts of common pleas within this province be, and are hereby empowered, in all causes or actions 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 pleas shall be allowed, and to determine therein according to law or equity, and to make up judgment accordingly; subject to an appeal to the supream court [supreme court] when the judgment shall exceed five pounds, there to be determined in manner aforesaid.

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 be summoned to try the same, any former law of this province to the contrary notwithstanding.

This act to continue for and during the space of two years, and until the end of the first session of the general assembly then next following.