

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Tuesday the 28th day of May 1765, in the Fifth Year of His Majesty's Reign, and there continued by several Prorogations, to Tuesday the Third Day of June, 1766, in the Sixth Year of His Majesty's Reign.

6 George III – Chapter 9 (Session 1)

An Act to prevent the Multiplicity of Law Suits.

Be it enacted, by the commander in chief, the council and assembly, that in all actions sued on book accounts, the defendant in such cause may file his account against the plaintiff with the clerk of the court, provided, the same be done at least seven days before the sitting of the court, and the said court is hereby empowered to proceed on issue joined to inquire into the merits of both accounts, before one and the same jury, and on the verdict of the jury to award costs as they shall find, whether for the plaintiff or defendant. And where the action shall be commenced on any bond, bill, note or agreement in writing, the defendant may in like manner file his receipt or discharge for part or the whole, according as he hath made payment. Provided, such receipt or discharge be in writing, the defendant may in like manner file his receipt or discharge for part or the whole according as he hath made payment. Provided, such receipt or discharge be in writing, signed by the plaintiff or his attorney, lawfully empowered to receive the same, and the court is hereby empowered to proceed to examine in to the merits of the same, in the same manner as in book accounts, between the plaintiff and defendant, and equitably to reduce all such bonds, notes, bills, and writings obligatory to the just debt with interest, damages and cost, according to the nature of such writing, deed or instrument, and the jury are hereby empowered to give their verdict accordingly.

And be it further enacted, that this act shall continue and be in force for the term of two years from the publication hereof, and until the end of the session of the general assembly, then next following.

Publish'd according to the law, the 5th day of July, 1766.