

ferred on Courts of
General Sessions.

Fines imposed by
General Sessions
under this Act to
be levied by War-
rant of distress, &c.

Costs of prosecu-
tions to be regula-
ted by the Ordina-
nce of Fees.

given by the said hereinbefore in part recited Act, to two Magistrates, shall be and the same is hereby given to the several Courts of General Sessions of the Peace in the several Counties in this Province.

II. And be it enacted, That all fines or penalties imposed by the Justices in General Sessions by virtue of this Act, together with costs of prosecution, shall be levied by Warrant of distress and sale of the offender's goods and chattels, directed to the Sheriff of the County within which the offence shall have been committed, rendering the overplus, (if any) after deducting the costs and charges of such distress and sale, to the offender; and if no goods shall be found whereon to levy, it shall and may be lawful for such Sheriff to commit such offender to the Common Gaol of the County where such offence may be committed, there to remain without bail or mainprise, the period to be specified in such Warrant, not exceeding thirty days, unless such fine, costs and charges are sooner paid.

III. And be it enacted, That the costs of prosecution under this Act, had before the Justices in General Session of the Peace, shall be regulated by the Ordinance of Fees established in this Province.

CAP. LIX.

An Act to amend the Act repealing the Acts affording relief to persons unfortunate in business.

Passed 14th April 1847.

Proceedings refer-
red to in the provi-
so to Act 9 V. c. 58,
to be taken by the
debtor within six
months, or order
of the Master of
the Rolls, &c.
to be null.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That in all cases within the meaning of the proviso of an Act made and passed in the ninth year of Her present Majesty's Reign, intituled *An Act to repeal the Acts to afford relief to persons unfortunate in business*, the debtor or debtors obtaining the Order of the Master of the Rolls therein mentioned, shall take all the necessary proceedings required by the said recited Acts, for the purpose of bringing such Order, and the matter on which the same was granted, to final adjudication within six calendar months from the passing of this Act; and, in default thereof, such Order and all proceedings whatever had or to be had thereon, and all matters and things arising therefrom, shall and are hereby declared to be null and void, and no longer binding on any person or persons whomsoever; saving to Clerks of the Peace, and all other persons by whom any services may have been performed for such debtor or debtors, under the said recited Acts, their right to recover for the same against such debtor or debtors.

Right of recovery
for services per-
formed, reserved.

CAP. LX.

An Act for the further amendment of the Law and the better advancement of Justice.

Passed 14th April 1847.

Preamble.

7 W. 4, c. 14.

WHEREAS in and by the provisions of the twenty first and twenty second sections of an Act passed in the seventh year of the Reign of His late Majesty, intituled *An Act for the amendment of the Law and for the better advancement of Justice*, the Jury, Court or Judge are authorized to allow or give damages, in the nature of interest, in certain cases, as therein mentioned, and also in other cases interest is allowed and assessed: And whereas it frequently happens that the final judgment of the Court therein is delayed by reason of Rules Nisi, Demurrers, or otherwise, and it is considered just and advisable that the said Court should be empowered in its discretion to allow interest at a rate not exceeding six per cent. per annum, on the amount of the debt or damages found or assessed by the Jury, Court or Judge from the time the same were found or assessed, until the giving of final judgment;