

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1839. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1839.

2 Victoria – Chapter 11

An Act to repeal the Act establishing the times of holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the County of Northumberland, and for the enlarging the times of the Sittings of the said Courts, and for making other and better regulations concerning the same. Passed 23d March 1839.

Whereas the times of holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the County of Northumberland have been found inconvenient;

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the second year of the Reign of His Majesty King George the Fourth, intituled "An Act for altering the times of holding the Court of General Session of the Peace and Inferior Courts of Common Pleas in the County of Northumberland, and for enlarging the times of the Sittings of the said Courts," be and the same is hereby repealed.

II. And be it further enacted, That the Court of General Sessions of the Peace and Inferior Court of Common Pleas in the County of Northumberland, shall be hereafter holden on the second Tuesday in January and the second Tuesday in July in each and every year, instead of the third Tuesday in March and the fourth Tuesday in August, as heretofore established; and that the additional Terms of the Inferior Court of Common Pleas in the said County heretofore holden on the second Tuesday in June and the first Tuesday in November, shall be hereafter holden on the first Tuesday in May and the first Tuesday in October in each and every year, any law, usage or custom to the contrary notwithstanding.

III. And be it further enacted, That it shall and may be lawful for the said Court of General Sessions of the Peace and Inferior Court of Common Pleas in the said County, at the Terms so to be holden on the second Tuesday in January and the second Tuesday in July in each and every year, or either of them, if the Justices of the said Courts respectively shall deem the same expedient, to adjourn the Sittings of the said Courts or either of them, to the week next succeeding the said Terms respectively; and that all causes and matters heard and determined on any day during the week next succeeding the said Terms respectively, pursuant to such adjournment, shall have the same and the like force and effect to all intents and purposes as if such causes and matters had been heard and determined at any time during the said Terms respectively, and that all parties concerned shall take due notice of such adjournment from time to time respectively and govern themselves accordingly; provided that no trial of any issues by Jury shall be had at any such adjourned Sittings, any thing herein contained notwithstanding.

IV. Provided also and be it further enacted, That the days of the teste and return of all writs in the said Courts shall be and remain in each respective term as heretofore accustomed and established, any thing in this Act to the contrary thereof in any wise notwithstanding

V. And be it further enacted, That no process shall abate or other business of what nature or kind soever be discontinued by reason of the said alterations of the said Terms, but shall and may be proceeded upon, heard and determined at the times herein appointed, in the same manner as they might have been proceeded upon had no alteration been made. Provided always, and be it enacted, that this Act shall not go into operation or be in force until after the last day of the next Court of General Sessions and Inferior Court of Common Pleas to be holden for the County of Northumberland on the third Tuesday in March next, any thing in this Act to the contrary in anywise notwithstanding.