

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1847. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1847.

10 Victoria – Chapter 60

An Act for the further amendment of the Law and the better advancement of Justice. Passed 14th April 1847.

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;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in all cases when any verdict for or assessment of any debt or damages may be given or made for any party in any suit in such Court in which interest is or may have been included under the provisions of the said recited Act or otherwise, and the final judgment of the Court thereupon may have been delayed by the opposite party, either by a Rule Nisi, Demurrer, or otherwise, it shall be lawful for such Court in its discretion, when such verdict or assessment is sustained, to allow interest thereupon at a rate not exceeding six per cent, per annum, from the time of such verdict or assessment until the rendering of final judgment therefor.

II. And be it enacted, That the said Court may by General Rule prescribe the form of the entry of judgment and execution in cases where such further interest may be so allowed.

III. And be it enacted, That the provisions of the fifth section of an Act made and passed in the fourth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to establish and regulate a Summary Practice in the Supreme Court*, authorizing a Judge of the Supreme Court to allow a Counsel fee of not more than two guineas on every cause entered for trial, and for every argument before the Court, shall extend to Defendants as well as Plaintiffs.