

*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 62

**An Act further to amend the Law regulating proceedings before Justices of the Peace in Civil Suits. Passed 14th April 1847.**

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That if any order for the removal of any cause tried before any Justice of the Peace under and by virtue of the Act of Assembly made and passed in the fourth year of the Reign of King William the Fourth, intituled *An Act to regulate proceedings before Justices of the Peace in Civil Suits*, shall be or hath already been obtained by any party proceeding under the said Act, and the Justice to whom the same shall be directed shall transmit or deliver, or shall have transmitted or delivered his return to such order to the party obtaining the same, or his Attorney, it shall be the duty of such party, or his Attorney, within one calendar month after receiving the same, to deliver the said return to the Judge who made said order, and within the time aforesaid, or if the said return shall have been received by the said Judge from the said Justice, then within one calendar month from such time, to make application to the said Judge for a day to be appointed for the hearing of the cause, and for taking all othe necessary proceedings for the hearing and finally disposing of the said cause on review, agreeably to the requirements of the said Act.

II. And be it enacted, That on any default by such party in taking such proceedings, and the same being made satisfactorily to appear to the said Judge so granting such order, the said Judge is hereby authorized, on the application of any party interested, to remit the cause to the Justice making such return, and allow to such party costs on the proceedings in review, in like manner as in cases of affirmance of the judgment, to be taxed and recovered as in other cases under and by virtue of the said Act, or any Acts in amendment thereof; and thereupon no further removal of such cause shall be allowed, either by any of the Judges of the Supreme Court or by the Supreme Court.

III. And be it enacted, That this Act shall not come into operation or be in force until the first day of June next.