

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1848. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1848.

11 Victoria – Chapter 14

An Act in further amendment of the Law. Passed 30th March 1848.

Whereas the practice of requiring a Rule of Court to be taken out for pleading several matters in any cause brought in any Court of Record in this Province is found inconvenient, and may be abolished, leaving to the Court or any Judge the power to set aside any improper or inconsistent plea as heretofore accustomed;

Be it therefore enacted, by the Lieutenant Governor, Legislative Council and Assembly, That in all cases where by the law or practice of the Courts a party may be authorized or required to take out a rule to plead several matters, such party may plead such several matters without actually obtaining such rule, and the leave of the Court to plead such several matters, agreeably to the directions of the Statute in such case made and provided, shall always be presumed to have been given; provided, that any pleas may be set aside by the Court or Judge, either on the ground of inconsistency or any other grounds, (except for not taking out such rule,) where by law or the practice of the Court, pleas can now be set aside.