

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1851.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1851.

14 Victoria – Chapter 20

**An Act in further amendment of the Law. Passed 30th April 1851.**

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That no special demurrer in any of the Courts of Common Law in this Province shall in any case hereafter be allowed, any law, usage or custom to the contrary notwithstanding; provided always, that in all cases of duplicity, informality, or other ground of special demurrer under the present practice of the Supreme Court, in any pleading, the same may be objected to before any Judge of the said Courts, and allowed or refused on such terms as may be deemed just.

II. And be it enacted, That amendments in any process, pleading, or other legal proceeding, shall at any time be made and allowed, with or without a rule or order for that purpose, by any Judge or Court at discretion, either at Chambers, at Nisi Prius, or at Bar, and in no case shall an amendment be refused unless it shall be apparent to the Judge or Court, by affidavit or otherwise, that manifest injustice to the opposite party would be the result of such amendment, and that such injustice could not be prevented by granting further time to the opposite party, and the amendments may be made on such terms as to payment of costs and other conditions as may be deemed necessary.

III. And be it enacted, That in all actions of ejectment a joint demise of the lessors of the plaintiff shall in all cases be sufficient, and shall be deemed to be joint or several as the facts of the case may require, and shall have all the force and effect that several demises now have or heretofore have had.