

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1859. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1859.

22 Victoria – Chapter 38

An Act to enlarge the jurisdiction of the City Court of the City of Saint John. Passed 13th April 1859.

Section.

1. Jurisdiction extended to £10 demands.
2. Right to reduce claims to £10.
3. Process, &c. to be as established for debts of £5.
4. Fees of Aldermen, Common Clerk, and Marshal;
5. Other fees.

Section.

6. Act 13 V. c. 1, for relief of insolvents, extended to suits under this Act.
7. Provisions of Cap. 137, Rev. Stat. extended to suits under this Act.
8. Sittings of Court may be adjourned.
9. Right of review.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The City Court of Saint John shall have jurisdiction over all actions of debt, when the sum demanded does not exceed ten pounds.
2. The same right to abandon part of a claim originally over ten pounds, so as to reduce it to that amount, and similar proceedings shall be had and allowed in respect to the set off of adverse claims in suits under this Act, as at present existing and in force in actions of debt for five pounds and under.
3. The process, forms, and proceedings, shall be the same as are established, used, and allowed in the said Court for the recovery of debts to the amount of five pounds.
4. The fees in suits for the recovery of any sum over five pounds, shall be as follows:

To the Alderman on every judgment, five shillings;
To the Common Clerk, for the use of the Corporation, for every judgment, five shillings;
To the Marshal executing an execution, three pence for every pound collected over and above the sum of five pounds, in addition to the present fee.
5. All the other fees, costs, and expenses, shall be and remain as by law established and allowed in the said City Court.
6. The provisions of the Act of Assembly 13th Victoria, Chapter 1, relating to the relief of persons confined for debt in the body of the gaol in the City and County of Saint John, shall extend and apply to suits under this Act.

7. The provisions of Title XXXVII, Chapter 137, of the Revised Statutes of New Brunswick, shall extend and apply to suits brought under this Act, and to all matters relating thereto, so far as the same are applicable and not inconsistent with this Act or of the Act 13th Victoria, Chapter 8.

8. The sitting of the said Court may be adjourned from day to day, if it be deemed expedient or necessary for the dispatch of any unfinished business.

9. The same right of review shall be had and allowed in suits for sums over five pounds, as is given in causes tried before a Justice of the Peace by Title XXXVII, Chapter 137, of the Revised Statutes, and the provisions of Section 44 of said Chapter shall be held to apply to proceedings under this Act.