

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1864. Fredericton, NB: G. E. Fenety, Printer to the Queen's Most Excellent Majesty, 1864.

27 Victoria – Chapter 41

An Act relating to Foreign Judgments. Passed 13th April, 1864.

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

That in any action now pending or hereafter to be instituted in any Court in this Province on a Foreign Judgment, where the defendant was not personally served with the original process or first proceeding in the suit, within the jurisdiction of the Court where the said judgment may be obtained, it shall be competent for the defendant to enter into the subject matter of such Foreign Judgment and to avail himself of any matter of law or fact which would have been available as a defence, had the action on which such judgment was had and obtained been originally brought and prosecuted in any of the Courts of this Province; provided always, that notice of such defence shall be given in like manner as is required by the course and practice of the said Courts, any law, usage or custom to the contrary notwithstanding.