

## CAP. XXXVIII.

## An Act to enlarge the jurisdiction of the City Court of the City of Saint John.

## 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 Cap. 137, Revised Statutes, extended to suits under this Act.
8. Sittings of Court may be adjourned.
9. Right of review.

Passed 13th April 1859.

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.

## CAP. XXXIX.

An Act in addition to an Act intituled *An Act relating to the Police of the City of Saint John.*

## Section.

1. Penalty for using insulting language, &c.
2. Entry on premises where liquors sold; penalty for selling after hours, what.

## Section.

3. Larcenies, or receipts of stolen property, triable before Police Magistrate.

Passed 13th April 1859.

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

1. Any person who shall, by insulting or abusive language or behaviour, taunting epithets, or threatening gestures, attempt

to provoke another person to commit a breach of the peace, in any part of the City of Saint John, or in any building therein, or whereby a breach of the peace may be committed, shall be liable for each offence to a penalty of not more than forty shillings.

2. That it shall be lawful for the Police force of the said City, or any of them, to enter into any house, place, or premises where liquor is sold; and no licensed Tavern keeper shall sell any liquor in the said City after eleven o'clock at night, under a penalty upon the proprietor of forty shillings, to be recovered before the Police Magistrate in the same manner and to the same effect as any other pecuniary penalty may be recovered at the Police Office of the City of Saint John.

3. Whenever any person shall be charged with the offence of larceny or of receiving stolen goods, whenever the value of the articles stolen does not exceed the sum of five pounds, it shall be lawful for the Police Magistrate of the City of Saint John forthwith to hear and determine such offence, and on conviction by confession or otherwise, to commit the offender to the Common Gaol or Provincial Penitentiary, at the discretion of the Magistrate, for any period not exceeding twelve months.

## CAP. XL.

## An Act to authorize the Justices of the Peace for the City and County of Saint John to raise a sum of money for erecting an addition to the Alms House of the said City and County.

## Section.

1. Power to erect an addition to Alms House; and
2. To borrow money for the purpose.
3. Certificates of debt to be negotiable.

## Section.

4. Annual assessments to discharge the debt.
5. Application of the assessments.
6. Remuneration of County Treasurer.

Passed 13th April 1859.

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

1. The Justices of the Peace for the City and County of Saint John, at any General or Special Sessions to be hereafter holden, are hereby authorized by themselves, or by one or more Committee or Committees of management for that purpose to be appointed, to contract and agree with able and sufficient workmen for erecting and finishing a building or buildings in addition to the Alms House of the City and County of Saint John, not however to exceed the cost of two thousand pounds, and in such manner and form as shall be approved by the said Justices.

2. The said Justices at any such Sessions, are hereby authorized and empowered to borrow such sums of money as may from time to time be required for erecting and completing such building or buildings, not exceeding in the whole the sum of two thousand pounds, to be paid off and discharged in manner hereinafter mentioned, the same to be taken in loans of not less than one hundred pounds; and Certificates or Notes in the following form, or to the like effect, shall be prepared and delivered to the persons from whom such loans may be obtained, to-wit :—

Number —.

SAINT JOHN, SS.—These are to certify, that [*here insert name, residence, and addition of lender,*] hath lent and advanced to the Justices of the Peace for the City and County of Saint John, the sum of one hundred pounds currency, which sum is payable to him or to his order, together with interest at and after