

or other local authority, by reason only of his being an inhabitant, freeman or freeholder of such County, Parish, or City, or as being one of such Municipality, or by reason that such Judge is or may be rated to or chargeable with the taxes, levies or rates within any such County, Parish, City, Municipality or place affected by any such act or acts of such Judge as aforesaid.

7. When the time within which, or when the mode in which any proceeding should be taken in the County Court, or before any Judge, is not prescribed in this Act, or in any Act relating to the County Courts, such time and mode may be appointed by rules of practice, orders, and forms, by the Judges thereof.

8. The oath required by the twenty fifth Section of the Act thirtieth Victoria, Chapter 10, to be made by the landlord, may be made by the landlord or person entitled to possession of the premises, or by the attorney or agent of either of them.

9. In all cases where rules for an attachment are granted in any County Court, the said attachment may and shall be issued by the Clerk of such Court instead of the Clerk of the Crown in the Supreme Court, and may be in the same form as attachments issued under rules of the Supreme Court, with such alterations, if any, as may be necessary to adapt the same to any County Court out of which it may be issued.

10. The March Term of the County Court for the Counties of Westmorland and Albert are hereby abolished, and the said Courts for the County of Westmorland shall hold Terms for the said County on the third Tuesday in the month of June, and on the second Tuesday in December only, and for the County of Albert on the fourth Tuesday in the month of June, and on the second Tuesday in the month of November only, in each and every year.

11. The County Court for the County of Gloucester shall be holden on the third Tuesday in March, on the second Tuesday in July, and on the first Tuesday in November, in each and every year, instead of the first Tuesday in April, second Tuesday in September, and third Tuesday in January, in each and every year as now provided by law; provided that nothing in this Section shall interfere with the Term of the County Court for the County of Gloucester appointed by law to be holden on the first Tuesday in April one thousand eight hundred and seventy, but that the said Term for the said year only shall be held, and all proceedings had as if this Act had not passed.

12. The County Courts for the County of Restigouche shall be holden on the fourth Tuesday in March, third Tuesday in July, and second Tuesday in November, in each and every year, instead of the last Tuesday in March, the third Tuesday in September, and the second Tuesday in January, in each and every year as now provided for by law.

13. The presiding Judge at the County Court for the County of York, may tax and allow to the Clerk of the Crown in the Supreme Court his reasonable travelling expenses in attending to the criminal prosecutions in the said Court, and certify the same under his hand to the Provincial Secretary, and on such certificate the same shall be paid by warrant in the usual manner.

14. That it shall not be lawful for the presiding Judge in taxing costs, as provided by the second Section of thirty second Victoria, Chapter 5, to allow any Counsel fee except in cases where there has actually been a trial at such Court;

and that in all cases in which the Judge shall tax costs under said Section, his certificate shall be accompanied by the bill of costs so taxed, and no payment shall hereafter be made unless such bill of costs accompany such certificate; the provisions of this Act to extend to all cases where services have been performed previous to the passing of this Act and which have not been actually paid for; and that any thing in the said Act contrary to the provisions of this Act is hereby repealed.

15. That any Commissioner for taking Bail in the Supreme Court, is hereby authorized and empowered to make an order for the render of any defendant in discharge of his bail in any cause in any County Court in this Province, to the goal of the County for which he is appointed Commissioner to take Bail as aforesaid.

16. The mode of proceeding on rendering defendants in discharge of bail in the said County Courts shall be according to the practice of the Supreme Court, unless otherwise provided; and the Sheriff shall be charged with the custody of such defendants in the same manner and form, as near as may be, as he is charged according to the practice of the Supreme Court.

17. No Clerk of the County Court shall act as a Magistrate in holding examinations on any charge of misdemeanor or criminal matter coming before the said Court.

CAP. XXI.

An Act in addition to an Act intituled "An Act relating to Jurors."

Passed 7th April 1870.

WHEREAS it is deemed advisable to limit the right of challenge in certain cases;—

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

That from and after the passing of this Act, no challenge shall be taken to any panel of Jurors in civil causes by reason or on account of kindred or affinity in the officer summoning such Jury to any of the parties to a suit, except in cases when such summoning officer is of kindred or affinity to any or either of the parties to the suit within the second degree of consanguinity or affinity, nor shall any array in any civil suit or proceeding be quashed by reason of such kindred or affinity except as aforesaid, any law, custom or usage to the contrary notwithstanding.

CAP. XXII.

An Act relating to Imprisonment for Debt.

Sec.

- 1 Term of imprisonment.
- 2 When debtor may be discharged.
- 3 Debtor not again liable for same suit.
- 4 Plaintiff may proceed to final judgment against property.

Sec.

- 5 Act not to affect persons confined under Dominion Act or for Crown debt.
- 6 Application of Act.

Passed 7th April 1870.

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

1. No person shall be held confined in any gaol in this Province under any process issued from any Court in any civil suit, except as hereinafter provided, for a term exceeding two years.

2. When any person shall have been confined in any gaol in this Province for the space of two years in any civil suit, whether the period of such confinement shall have wholly or in part elapsed before the passage of this Act, or shall