

A BILL

Entitled "An Act to facilitate the recovery of Small Debts, and other Demands."

WHEREAS, an Inferior or Summary Court of Civil Justice is established in the Colony of Vancouver Island and its Dependencies which hath heretofore sat at Victoria, in the said Colony, and at no other place: And whereas, it is desirable to extend the benefits of the same to other places; Be it therefore enacted by the Governor of the Colony of Vancouver Island and its Dependencies, by and with the advice and consent of the Legislative Council and Assembly thereof, as follows:

I. It shall be lawful for the Governor from time to time, to erect any portion or portions of the said colony into Inferior Court Districts and to give to and distinguish such districts respectively by name and to define the boundaries thereof.

II. Courts shall be held in the said districts for the purpose of trying actions brought in the said Inferior Court, and such actions may be brought and decided either in the district in which the cause of action shall have arisen or in a district in which the defendant or one of the defendants shall dwell or carry on his business at the time of the action brought, or by leave of the Court in a district in which the defendant or one of the defendants shall have lived or carried on his business at some time six calendar months next before the time of the action brought: Provided that any such action may be removed from the District Court in any district to the District Court in any other district or to the Supreme Court by order of the Chief Justice of the Supreme Court, if he shall think the justice of the case requires it.

III. The sittings of the said District Courts shall be held as often as the circumstances of each district shall require, upon such day or days as shall be fixed by the Judge or Judges of such Courts respectively or upon such day or days as shall be appointed by the Governor.

IV. In any District Court, as well in the district in which the city of Victoria is situated as in other districts, any Stipendiary Magistrate or Justice of the Peace having authority to act in the said district, may be appointed by the said Governor to act as Judge, and in any such District Court the clerk of the Stipendiary Magistrate or other the person specifically appointed by the Governor for that purpose, may act as Clerk of the said District Court, and any constable or other person specifically appointed by the Governor for that purpose may act as Bailiff of the said District Court.

V. Any Judge of the Supreme Court of Civil Justice may, if he shall think fit, act as Judge of the said Inferior Court in any of such districts, and shall have power to sit either with or without the Judge of such Court or concurrently with him, and dispose of the business from time to time pending in any such District Court.

VI. The said District Courts shall have power to issue plaints and hear and determine pleas of personal actions where the debt or damage claimed is not more than Two Hundred and Fifty Dollars, whether on balance of account or otherwise: Provided that no such Court shall have cognizance of any action in which the validity of any devise, bequest, or limitation under a will or settlement may be disputed, nor where the title to land comes in question, or for any malicious prosecution, or for any libel or slander, or for criminal conversation, or for seduction, or for breach of promise of marriage: Provided also that with respect to all actions which may be brought in the Supreme Court of the said Colony, except actions for criminal conversations if both parties shall agree by a memorandum signed by them or their Attorneys or Agents, to have such actions tried in any of the said District Courts, then such District Court shall have jurisdiction to try the same.

VII. If either party, in any cause where the sum recovered is not less than One Hundred Dollars, shall be dissatisfied with the determination or directions of any District Court, in point of law or upon the admission or rejection of any evidence, such party may appeal from the same to the Supreme Court of Civil Justice, provided that such party shall within four days after such determination or direction give notice of such appeal to the other party or his Attorney or Agent, and also within ten days after such determination or di-

