

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on the fifth day of December 1785, in the Twenty Sixth Year of his said Majesty's Reign, and there continued by several Prorogations unto the Sixth Day of June 1791, in the Thirty First Year of his Majesty's Reign, being the Sixth Session of the Sixth General Assembly, convened in the said Province.

31 George III – Chapter 4

An Act to enable the Justices of the Supreme Court and Justices of the Courts of Common Pleas, to issue Commissions for the examining of Witnesses out of the Province, and for the Regulation of Prisons therein.

Be it enacted, by the Lieutenant Governor, Council and Assembly, that in all civil causes depending in the Supreme Court of this province, as well, as in any of the courts of common pleas of the same, in which either party shall be desirous to take the depositions of witnesses residing out of this province to be read as evidence in such causes; it shall and may be lawful for the justices of the said courts upon sufficient cause being shewn by affidavit, on the behalf of the party desiring the same, to issue a commission under the seal of said courts for taking such depositions in such manner, and under such restrictions and regulations, as the said courts by any rules and orders for that purpose made, shall direct and appoint, and such depositions so taken shall be read in evidence, unless the person or persons making such depositions shall be present in court on the trial of such cause or causes, and the costs attending the issuing and taking such depositions, shall be regulated by rule and order of the said courts for that purpose to be made.

I. And be it further enacted, by the authority aforesaid, that the justices of the supreme court, in their sessions in the different counties in this province, may, and shall from time to time make and publish such rules and orders, for fixing and ascertaining the extent and limits of goal yards, boundaries and privileges of prisoners and for directing and controuling the conduct of sheriffs, goalers and other officers having the charge or custody of prisoners and for the safe keeping and protection of prisoners, as the said justices may judge proper and necessary.