



An Ordinance for establishing and regulating
the Times for holding the Ordinary Sessions of His Majesty's
Supreme Court of Judicature, Court of Assize, and General
Goal-Delivery, in and for the Island of Cape Breton in
America, and its Dependencies, and for regulating the
proceedings in the said Courts.

Be it Ordained and Ordered by His Excellency the Lieutenant Governor and Commander in Chief of the Island of Cape Breton and its Dependencies, and His Majesty's Council for the same, and it is hereby Ordained and Ordered by the Authority

of the same. That His Majesty's Supreme Court of Judicature, Court held at Sydney four times in the Year, viz: on of Assize, and General Goal-Delivery, shall be opened and held the first Wednesdays in February, May, August, and November in the said Island of Cape Breton, four Times in every Year, that is to say, on the first Wednesday in the Months of February, May, August and November in every Year; the first

The Terms to be called Hilary, Easter, Trinity and Michaelmas Session in the Year shall be called Hilary-Term, the second Easter-Term, the third, Trinity-Term, and the fourth Michaelmas Term

Each Term to commence and that every Term, shall be deemed to commence seven Days 7 Days before the first day of sitting and continue before the respective Days hereby appointed for the opening three Weeks. of the said Courts, and continue Three Weeks.

And be it further Ordained and Ordered

by the Authority aforesaid that His Majesty's Chief Justice may appoint days of sitting after Term for Courts of Sessions

for the said Island and its Dependencies and of the said Courts,
shall and may as he shall judge Necessary, appoint Days
of sitting, after Term for the Tryal of Issues made up and pre-
pared, and all Jurors summoned to attend the said Courts shall
be obliged, and they are hereby directed to give their attend-
ance accordingly, and shall severally be subject and liable
to pay a Fine of ten shillings to His Majesty for the use of His Gov-
ernment for each and every Day, he or they shall refuse or neglect
to appear and serve accordingly, without some lawful or reason-
able excuse, for his or their respective default to be heard
and allowed at the Discretion of the said Courts.

Jurors required to
give their Attendance

Penalty of ten
shillings for each days
neglect

Without lawful excuse
to be allowed by the
Court

And be it hereby further Ordained and Or-

dered by the Authority aforesaid, that His Majesty's Chief Just-
ice aforesaid shall and may from Time to Time make such
Rules and Orders for the regulation of the Practice and pro-
ceedings in the said Courts as he shall judge Necessary and
Expedient for the speedy and due Administration of Justice,
always adapting the same as nearly as possible to the cir-
cumstances of this Island and its Dependencies, and not repug-
nant to the Practice in His Majesty's Courts of Kings Bench,
Common-Pleas, and Exchequer at Westminster Hall, and the
Courts of Assize, Oyer, and Tenmes and Goal-Delivery
in England; and all such Rules and Orders so to be made
shall be duly observed, and obeyed until altered or dis-

Chief Justice empowered
to make Rules and Or-
ders for the Practice and
Proceedings of the Court

Not repugnant to the
Practice of the Courts at
Westminster Oyer and
Tenmes and Goal-
Delivery in England

And to be obeyed and

charged

changed by His Majesty's Chief Justice aforesaid in Court, or until
 they shall be altered or abrogated by any Ordinance of the Gov-
 ernor and Commander in Chief, and His Majesty's Council, of this
 Island and its Dependencies.

And be it hereby further Ordained and
 ordered by the Authority aforesaid, that the first Session of the

said Supreme Court of Judicature, Court of Assize and General
 Delivery shall, and may be opened and held as of Trinity

Term at Sydney aforesaid, on such Day, and Hour in the Month
 of August next, as His Majesty's Chief Justice aforesaid by his
 Precept, shall order and appoint, and shall and may by him

be again closed and adjourned to the next Term, as soon as he
 may judge proper after opening the said Courts, any thing in
 this Ordinance to the contrary notwithstanding.

And be it hereby further Ordained and

Ordered by the Authority aforesaid, that all Proceps issuing
 out of the said Courts, all Indictments, Hue and Judgment

Rolls and special Bail Pieces shall be engrossed on Parchment,
 in the Manner and Form, as nearly as circumstances will

permit to the Modes Used and Practised at Westminster
 Hall.

Passed in Council the
 29th Day of July 1785.

R. Gibbons Pres^t

Approved Ordained and
 ordered accordingly.

J. P. W. Des Barres

A true Copy examined
 and compared from Minutes of
 Council. Murray C. C.

The first Session of the
 Supreme Court to be held
 at Sydney on such day
 of August 1785 as the
 Chief Justice by his Pre-
 cept shall appoint

And adjourned when he
 shall judge proper to
 meet Michaelmas Term.

Proceps, Indictments,
 Rolls, and special Bail
 Pieces, to be engrossed on
 Parchment, or nearly
 so Circumstances will
 Permit, to the Modes and
 Practices at Westminster
 Hall.