

*Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1791.* Saint John, NB: Christopher Sower, Printer to the King's Most Excellent Majesty, 1791.

31 George III – Chapter 10

**An Act to enable the Justices of the Supreme Court to issue Commissions for the examining of Witnesses out of the Province.**

Be it enacted, by the Lieutenant Governor, Council and Assembly, That in all civil causes depending and at issue in the Supreme Court of this province, 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 Court upon sufficient cause being shewn by affidavit on the behalf of the party desiring the same, to issue a commission under, the seal of the said Court, for taking such depositions, in such manner, and under such restrictions and regulations as the said Court by any rules and orders, for that purpose made, shall direct and appoint: And such depositions, so taken, shall be read, in evidence as depositions taken *de bene esse*, at the trial of such causes. And the costs attending the issuing and taking such depositions shall be regulated by rule or order of the said Court for that purpose to be made.