

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1847. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1847.

10 Victoria – Chapter 40

**An Act relating to Courts of Oyer and Terminer and General Gaol Delivery in this Province.
Passed 7th April 1847.**

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That if any Court of Oyer and Terminer and General Gaol Delivery hereafter to be holden in this Province, from pressure of business at other places, or other unforeseen circumstances, shall not be opened at any place specified for holding the same on the day appointed for the attendance of the Grand and Petit Juries respectively, summoned by virtue of any precept or precepts for that purpose to be issued, it shall and may be lawful to open the same on the following day, or, if such following day shall be Sunday or other day of public rest, then on the next succeeding day; and such opening shall be as effectual to all intents and purposes as if the same had been opened on the day appointed for the attendance of such Jurors as aforesaid, and shall be deemed and taken to be an opening thereof on the day so appointed; and all Records or other proceedings under or relating to the said Court which may be opened and read by virtue of this Act, shall and may be drawn up, entered and made out under the same date and in the same form in all respects as if such Court had been opened on the day originally appointed for such Juries' attendance.

II. And be it enacted, That all Jurors duly summoned or required by law to attend at any Court of Oyer and Terminer and General Gaol Delivery, or Court of Nisi Prius, established or to be established by law, and the respective Sheriffs, Coroners, Bailiffs, Constables, and Officers and Ministers of the Law of the respective Counties where the said Court of Oyer and Terminer and General Gaol Delivery, Circuit Court, or Court of Nisi Prius, may be opened, and also all parties and witnesses, both in Criminal and Civil cases, shall give their attendance at such Courts of Oyer and Terminer and General Gaol Delivery on such day as the said several Courts may actually be opened whether the same be the day appointed or established as aforesaid or not, and shall be charged and bound in like manner, and upon like pains and penalties, for non-appearance and non-attendance, or for any misdemeanor or default, at such several Courts respectively, as if the said Courts were opened on the very day appointed as hereinbefore mentioned, and as if the said parties respectively were bound to appear and give their attendance on the day of the actual opening of the said Courts.