

Michaelmas Term to commence on the last Tuesday in October, and to continue 7 days.

Every Juridical day to be the return day for all Writs, &c.

No trial by Jury to take place in Hilary or Trinity Terms after the expiration of 10 days.

Michaelmas Term shall begin and have its commencement on the last Tuesday of October, yearly, as by Law established, and shall continue and endure for the space of *Seven Days* and no longer.

II. *And be it further enacted*, That every Juridical day during the said Terms of Hilary, Trinity, and Michaelmas, shall be a Return day, for all Writs and Processes awarded by the said Court.

III. *And be it further enacted*, That no Trial by Jury whatsoever shall take place in either of the said Terms of Hilary and Trinity after the expiration of the first *Ten Days*, from the commencement of said respective Terms.

C. A. P. IV.

AN ACT to enable the JUSTICES of the Supreme Court of Judicature to issue COMMISSIONS for examining WITNESSES out of this ISLAND.

January 8, 1819.

Depositions of Witnesses residing out of this Island to be read as evidence.

Issue of Commissions for taking such Depositions.

Depositions so taken to be read as evidence DE BENE ESSE.

Costs attending suit to be taxed and paid by the party discontinuing,

if otherwise to be paid by party obtaining Commission.

BE it enacted by the Lieutenant Governor, Council and Assembly, That in all Civil Causes which may at any time after the passing of this Act be depending and at issue in the Supreme Court of Judicature of this Island, in which either Party shall be desirous to take the Depositions of Witnesses residing out of this Island, to be read as Evidence in such causes, it shall and may be lawful for the said Court in Term time, or for any one of the Justices of the same, in Vacation, upon sufficient cause being shewn by Affidavit made by or on behalf of the Party desiring the same, to authorize the issuing of a Commission under the Seal of the said Court for taking such Depositions in such manner, and under such Rules, Restrictions and Regulations as the said Court by any Rules and Orders for that purpose 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 such Commissions and taking such Depositions, shall be taxed and shall be paid by the Party who shall afterwards discontinue any such Suit, or against whom any final Judgment therein shall be given. *Provided* that the Judge or Officer taxing such Costs shall be of opinion that such Commission was necessarily issued, and that the Depositions taken thereunder were material to the matter in issue, in favour of the Party who desired the same, but if otherwise such Costs shall be paid by the Party obtaining the Commission.

Act to be in force 5 years.

II. *And be it further enacted*, That this Act shall remain and be in force for and during the Term of Five Years from and after the passing thereof, and no longer.

CAP.