

Persons indicted for Felony allowed Counsel

Copies of examinations allowed offenders against the Laws

Proviso

Offenders may inspect Depositions

Continuation of Act

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That, from and after the passing of this Act, all persons tried within this Province for Felonies shall be admitted, after the close of the case for the Prosecution, to make full answer and defence thereto, by Counsel learned in the Law.*

II. *And be it further enacted, That all persons who, after the passing of this Act, shall be held to bail, or committed to Prison, for any offence against the Law, shall be entitled to require and have on demand (from the persons who shall have the lawful custody thereof, and who is hereby required to deliver the same,) copies of the examination of the witnesses respectively, upon whose depositions they have been so held to bail, or committed to prison, on payment of a reasonable sum for the same, not exceeding three-pence for each folio of ninety words; Provided always, that if such demand shall not be made before the day appointed for the commencement of the Term, or sitting of the Court, at which the trial of the person on whose behalf such demand shall be made is to take place, such person shall not be entitled to have any copy of such examination of witnesses, unless the Court, before whom such person is to be tried, or some Judge of such Court, shall be of opinion that such copy may be made and delivered without delay or inconvenience to such trial, but it shall, nevertheless, be competent for such Judge or Court, if he or they shall think fit, to postpone such trial on account of such copy of the examination of witnesses not having been previously had by the party charged.*

III. *And be it further enacted, That all persons under trial shall be entitled, at the time of their trial, to inspect, without fee or reward, all depositions, (or copies thereof,) which have been taken against them, and returned in the Court, before which such trial shall be had.*

IV. *And be it further enacted, That this Act shall continue and be in force for two years, and from thence to the end of the then next Session of the General Assembly.*

CAP. X.

An Act to make provision for payment of the expenses of the Census for the County of Cape-Breton.

(Passed the 27th Day of March, 1840.)

Preamble

WHEREAS, under the Act, passed in the First Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for taking the Census of this Province, a Census of the Inhabitants of the County of Cape-Breton was taken and returned as by the said Act directed. *And whereas, by the second clause of the said Act, the General Sessions of the Peace held in the several Counties of this Province were authorized and empowered by, and upon the recommendation of the Grand Jury, to direct to be assessed in the same manner as and together with other County Rates and Taxes, a just and reasonable sum of Money off said County, and also for paying Clerks of the Peace, for services imposed by that Act; And whereas, at the Courts of General Sessions held at Sydney in the said County of Cape-Breton, in the Terms of March and November, in the year of Our Lord One Thousand Eight Hundred and Thirty-nine, the Grand Juries severally attending such Courts refused to make any provision for payment of the expenses incurred in and about the said Census of the County of Cape-Breton; And whereas such expenses having been necessarily incurred under a Law of this Province, it is just that the same should be paid:*

Sup. Court at its next Session may require the Grand Jury to present Money to defray expenses of Census

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That, if at the General Sessions of the Peace to be held in the County of Cape-Breton, on the last Tuesday of March, in the year of Our Lord One Thousand Eight Hundred and Forty, the Grand Jury shall have neglected or refused to present Money to pay the expenses of the Census for the County of Cape-Breton, then and in such case it shall and may be lawful for the Supreme Court, at its next Term or Sitting for the said County, to call upon and require the Grand Jury attending at such Court, to vote and present such sum of Money as may be necessary*