

able, on the respective days herein and hereby appointed for the next Terms or Sittings of the said Supreme Court, in the said several Counties respectively and all Parties, Witnesses, Officers or Persons; who are summoned or bound to appear, or who ought to appear at the said several Courts, or any of them respectively, at the next Terms or Sittings thereof respectively, in any of the said Counties; shall be held and obliged to appear at such Courts at the days and times in which such Terms or Sittings are hereby directed to be held.

Witnesses,
&c. bound to
appear

XL. *And be it enacted*, That no Imparlance in any Cause shall be granted in the Supreme Court at Halifax, from and after the passing of this Act, but only in such cases where the Court shall, upon application of the party Defendant, order the same by rule made in such Cause; *Provided*, that if the Defendant resides within the County of Halifax, the Writ and Declaration shall have been served upon him eight days before the Return thereof; and if he resides without the County of Halifax, the Writ and Declaration shall have been served upon him fourteen days before the return thereof.

Imparlance
granted upon
application of
Defendants

XLI. *And be it enacted*, That in order to prevent delay in Causes removed to Halifax by rule or otherwise, from the Circuit Courts of the said Supreme Court for argument, it shall and may be lawful for the said Supreme Court at Halifax, at any of the Terms thereof, to be held after the passing hereof, to appoint by Order or Rule of the said Court, to be publicly read by the Prothonotary in open Court, on the last day thereof, a certain day, or certain days after Term, to be in such Order or Rule named, for delivering Judgments in such Causes as may have been theretofore argued, either during the same Term, or any former Term, and wherein the Court shall not be then prepared to deliver Judgment, and upon such day or days the said Court shall sit; and every Judgment and decision delivered, or Rule or Order made, on any such day or days out of Term, shall be as valid, binding, and sufficient, as if delivered or made in Term; and every Rule or Order of Court made upon any such day or days, shall be deemed a Rule or Order of the Term previous, and bear date on the last day thereof.

Causes remov-
ed from Cir-
cuit Courts to
Halifax

XLII. *Provided always, and be it enacted*, That any Writ or Writs, Suit or Suits, issued or brought, or commenced, or which shall or may, after the passing of this Act, be issued, or brought, or commenced, returnable to any next ensuing Term or Sitting of the Inferior Court of Common Pleas, in any County in this Province, shall be and be deemed returnable, and shall be returned to the next ensuing Term or Sitting of the Supreme Court for the same County, as hereby appointed, and shall be and be held, and be deemed to be, a Writ or Writs, Suit or Suits, issued or brought, or commenced in the Supreme Court, and be proceeded with accordingly; and all persons, by or under such Writ or Writs, held, bound or summoned, to appear in such Inferior Court of Common Pleas, at its next Term or Sitting thereof, shall be held, bound and required, to appear at the next ensuing Term or Sitting of the Supreme Court.

Writs from
Inferior
Court return-
able to Su-
preme Court

And whereas, the Superior Courts of Westminster-Hall have lately been authorized by Parliament to make rules and regulations for diminishing the expense and delay in the proceedings in the said Courts, and under that authority many rules have been made that have tended to promote the aforesaid objects; and it is right that the same should be done in this Province:

Preamble.

XLIII. *Be it therefore enacted*, That the Judges of the said Supreme Court shall make and frame such rules and orders for regulating the practice thereof, as shall appear to them necessary and proper, to simplify the proceedings in Suits in the said Courts, and to prevent delay, and lessen the expense of such proceedings—all which rules shall be laid before the General Assembly, at the next Session thereof, within the first four days of the said Session; and if the said General Assembly shall not, within six weeks from the day the said rules and regulations shall be so laid before it, signify its disapproval thereof, then the said rules and regulations, or such of them as shall not be so disapproved of, shall be and become, the rules of the said Court.

Judges of Su-
preme Court
to make rules
for regulating
the practice
thereof and
submit the
same to the
General As-
sembly

And whereas, in consequence of the insular situation of the Counties of Cape-Breton, Richmond and Inverness, it may be difficult for the Judges upon that Circuit to procure conveyances thither:

Preamble

XLIV. *And Be it therefore enacted*, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander-in-Chief, upon the application of the Judge or Judges ap-
pointed

Conveyance
to be provided
for Judges go-