

The Provincial Statutes of Lower-Canada, Being the second session of the twelfth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1826.

6 George IV – Chapter 25

An Act to amend and continue for a limited time two certain Acts therein mentioned, relating to the Judicature in the Inferior District of Gaspé. (29th March, 1826.)

Whereas the duration of an Act passed in the second year of His Majesty's Reign, intituled, "An Act to extend the provisions of a certain Act therein-mentioned, as far as the same relates to the Judicature in the Inferior District of Gaspé, and more effectually to provide for the due administration of Justice in the said District;" and of a certain other Act passed in the fourth year of His Majesty's Reign, intituled, "An Act to amend a certain Act therein-mentioned, and further to extend the Jurisdiction of the Provincial Court for the Inferior District of Gaspé," stands limited to the first day of May, of the present year, one thousand eight hundred and twenty-six, which said Acts it is expedient to amend and continue for a limited time: Beit therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America,' and to make further provision for the Government of the said Province;" And it is hereby enacted by the authority of the same, that the said Act passed in the second year of His Majesty's Reign, intituled, "An Act to extend the provisions of a certain Act therein-mentioned, as far as the same relates to the Judicature in the Inferior District of Gaspé, and more effectually to provide for the due administration of Justice in the said District," as amended by an Act passed in the fourth year of His Majesty's Reign, intituled, "An Act to amend a certain Act therein-mentioned, and further to extend the Jurisdiction of the Provincial Court for the Inferior District of Gaspé," and the said Act passed in the fourth year of His Majesty's Reign, intituled, "An Act to amend a certain Act therein-mentioned, and further to extend the Jurisdiction of the Provincial Court for the Inferior District of Gaspé," shall, as hereby altered and amended, continue to be and remain in force until the fast day of May, one thousand, eight hundred and thirty, and no longer.

II. And be it further enacted by the Authority aforesaid, that from and after the first day of May, one thousand eight hundred and twenty-six, the terms of the Provincial Court for the said Inferior District and of the General Sessions of the Pence for the same, shall, during this Act, be held respectively at the following terms, instead of the terms fixed by the fourteenth and fifteenth sections of the above-recited Act of the second year of His Majesty's Reign, that is to say; the said Provincial-Court, at New-Carlisle, for causes not exceeding tea pounds sterling, from the first to the tenth of March, and from the eleventh to the twentieth of September, inclusively, and for causes exceeding ten pounds sterling and within the

competence of the said Provincial Court, from the eleventh to the twentieth of March, and from the twenty-first to the thirtieth of September, inclusively: at Carleton, for all causes as well under as over ten pounds sterling, within the competence of the said Court, from the first to the tenth of July inclusively: at Perce, for all causes as well under as over ten pounds sterling, within the competence of the said Court, from the first to the tenth of August inclusively: and at Douglas-Town, in the Bay of Gaspé, for all causes as well, under as over ten pounds sterling, within the competence of the said Court, from the sixteenth to the twenty-fifth of August, inclusively. And the said Court of General Sessions of the Peace at New-Carlisle, aforesaid, from the eleventh to the sixteenth of January, and from the twenty-first to the twenty-sixth of July: and at Carleton, Perce and Douglas-Town, during the six days immediately following the terms of the Provincial Court, at each of those places as herein above appointed.

III. Provided always, and be it further enacted by the authority aforesaid, that all suits or actions which may have been continued over from any term of the said Provincial Court at any of the aforesaid places, and shall be pending therein on the first day of May now next ensuing, may be tried and-determined at the next, ensuing term of the said Court, sitting at the place where the suit or action may have been instituted, it being hereby provided and declared, that the alteration by this Act. made in the terms of the said Courts, shall in no respect prejudice or delay any suitor therein, but that all causes and proceedings in the same shall proceed as if no alteration had been made in the terms heretofore existing-, and that all Writs issued or hereafter to issue before and returnable after the first day of May next, into any of the said Courts, for the present year, shall be returned into the same at the place where such Writs are returnable, on the first day of the term as by this Act provided, and such return shall be good and sufficient at Law, to compel the Defendant to appear and plead to the action, any Law, Usage, or Custom to the contrary in any wise notwithstanding.

IV. And he it further enacted by the authority aforesaid, that this Act shall be in force until the first day of May, one thousand eight hundred and thirty, and no longer.

V. And be it further enacted by the authority aforesaid, that this Act may be altered, amended or repealed in the present Session.