

The Provincial Statutes of Lower-Canada, Being the first session of the fourteenth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1831.

1 William IV – Chapter 2

An Act to facilitate the Administration of Justice respecting Enquetes in Civil Matters before the Court of King's Bench for the Districts of Quebec, Montreal, Three-Rivers, and Inferior District of Saint Francis. (31st March, 1831.)

Whereas it is necessary to facilitate the Administration of Justice in the District of Montreal, in matters relating to Enquetes in the Superior Terms of the Court of King's Bench for the said District, and also in the Inferior District of St. Francis:—Be it 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 upon the expiration of a certain Act passed in the ninth year of the Reign of His late Majesty King George the Fourth, chapter five, intituled, "An Act to provide for the appointment of Commissaires Enqueteurs for the District of Montreal, and other purposes relating to the Administration of Justice in the said District", which will be on the first day of May next, the Enquetes in causes in the Superior Terms of the Court of King's Bench, for the said District of Montreal, as well as in the Districts of Quebec and Three Rivers [Trois-Rivières], shall be taken before a single Judge, or before more than one Judge of the said Court, as well in Term as in vacation, and that for that purpose it shall be lawful for the said Judges of the said Court of King's Bench, in the said Districts of Quebec and Montreal, and Three Rivers, to assign one Room or more than one Room in the said Court House, for the taking of such Enquetes therein, and to fix the number of Clerks or writers whom the Prothonotaries of the said Court shall employ for the taking of such Enquetes, accordingly as the case shall require.

II. And be it further enacted by the authority aforesaid, that from and after the passing of this Act, the Justices of the Court of King's Bench, sitting in the said Districts of Quebec, and Montreal, and Three Rivers, or any one of them, shall, and they are hereby authorized in all cases of trial by Jury, in Civil Matters, to try the issue of fact and to receive the verdict of Juries in vacation, between the Superior Terms of the said Court of King's Bench on such days as during the Terms of the said Court, they shall have appointed for that purpose, any law to the contrary notwithstanding.

III. And be it further enacted by the authority aforesaid, that the Judges of the Court of King's Bench in and for the inferior District of Saint Francis sitting therein, may appoint a certain number of days in vacation for the taking of Enquetes in causes pending in the said

Court, and that the Provincial Judge of the said Inferior District of Saint Francis shall have all the powers in so far as relates to the taking of Enquetes in such cases as are by this Act vested in one or more of the Judges of the Court of King's Bench for the District of Montreal.

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