

“ entered into by the respective Commissioners of this Province and of Upper Canada, at Montreal, on the twenty eighth day of January one thousand seven hundred and ninety seven, relative to Duties, and for carrying the same into effect,” which Act was at an end on the first day of March one thousand eight hundred and one, And whereas it is expedient and necessary to renew and continue the said Act. Be it therefore enacted by the authority aforesaid, that all and every Clause, Obligation, Penalty, Fine, Matter and Thing in the said Act contained, be renewed, continued and enacted, and the same are hereby renewed, continued, and enacted, accordingly; and all and every Clause, Obligation, Penalty, Fine, Matter and Thing therein contained, shall have the same effect, force and validity, for and during the term of this Act, as if the same were herein particularly repeated and set forth.

Continuance of
this Act.

III. And be it further enacted by the authority aforesaid, that this Act shall have force and effect from the first day of March one thousand eight hundred and one, and shall continue to be in force to the first day of March one thousand eight hundred and five and no longer.

C A P. VI.

An ACT for the Relief of Insane Persons and for the Support of Foundlings.

(8th April, 1801)

Preamble.

WE, Your Majesty's Most dutiful and Loyal Subjects, the Legislative Council and Representatives of Your People of Lower Canada, having taken into our most serious consideration that part of the Speech of His Excellency the Lieutenant Governor of this Province, at the opening of the present Session of the Provincial Parliament, regarding the provision necessary to be made, for the securing and supporting such Indigent Persons, as from a temporary or lasting derangement of intellect, are incapable of earning their subsistence, and regarding the means to be employed to prevent the inhuman practice of exposing and deserting new born infants; and having also considered the necessity of granting aid and support to such Religious Communities, as receive and maintain sick and infirm Persons and Foundlings, do most humbly beseech Your Majesty, that it may be enacted: And be it enacted by the King's most Excellent Majesty, by and with the advice and the 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 until further and more effectual Provision can be made, for the purposes aforesaid, it shall and may be lawful, to and for His Excellency the Governor, Lieutenant Governor or Person administering the Government of this Province for the time being, out of any unappropriated monies, in the hands of the Receiver General of this Province, to apply and appropriate a sum, not exceeding one thousand Pounds per Annum, for the relief of such unfortunate Persons, as may from derangement of intellect, be incapable of earning their sustenance, and for the maintenance of such new born Infants, as may be exposed or require protection; and for the aid and support of such Religious Communities, as receive and administer

£1000 per annum for the support of Insane Persons and Foundlings.

administer relief to sick and infirm Persons and Foundlings: And the said sum, herein appropriated, shall be applied in such manner and under such Regulations, as His Excellency the Governor, Lieutenant Governor or Person administering the Government for the time being, shall judge most expedient, for promoting the ends of this Act. Provided always, that the present Act shall continue and be in force until the first day of January in the year of Our Lord one thousand eight hundred and four, and from thence to the end of the then next Session of the Provincial Parliament and no longer.

Continuance of his Act.

C A P. VII.

An Act to amend certain Forms of Proceeding in the Courts of Civil Jurisdiction in this Province and to facilitate the Administration of Justice.

(8th April, 1801)

Preamble.

WHEREAS it is necessary to alter certain forms of Proceeding in the Courts of Civil Judicature, in order to facilitate the Administration of Justice, and that the same may be rendered with greater expedition and advantage to His Majesty's subjects. 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 so much of an Ordinance passed in the twenty fifth year of His Majesty's Reign, intituled, "An Ordinance to regulate the Proceedings in the Courts of Civil Judicature and to establish Trials by Juries in Actions of a Commercial nature and Personal Wrongs to be compensated in Damages," as directs any of His Majesty's Judges to grant an Order, whereby a Plaintiff may have and obtain from the Clerk of the Court, a Writ of Summons in the language of the Defendant, to be issued in His Majesty's name, and tested by the name of such Judge, for the purposes therein set forth, shall be, and the same is hereby repealed; and that from and after the passing of this Act, it shall and may be lawful, for all and every Person or Persons having a Suit of a Civil nature, to institute in any of His Majesty's Courts in this Province, to sue out and as of right to obtain, from the Office of the Clerks or Prothonotaries of such Courts, respectively, a Writ or Summons in His Majesty's name, against the party or parties Defendant; and that such Process, when returnable in any of the Superior Terms, shall be tested in the name of the Chief Justice of the Court, out of which such Process shall issue, or in his absence, in the name of the Senior Puisne Justice of such Court, and in the District of Three Rivers, in the name of the Provincial Judge, and signed by the Clerk or Prothonotary, and sealed with the Seal of such Court, and that all Process returnable into the inferior Terms of the said Courts, shall be made out and obtained in like manner, and be tested in the name of the Senior Puisne Judge of such Court: and in the District of Three Rivers in the name of the Provincial Judge thereof, any Law, Usage or Custom to the contrary notwithstanding.

Ordinance Geo. III. Cap. 2. in part repealed.

From and after the passing of this Act, Persons instituting Suits may of right obtain a Writ or Summons from the Clerk of the Court.

Process returnable in the Superior Terms to be tested in the name of the Chief Justice or in his absence in the name of the Senior Puisne Justice and in the District of Three Rivers in the name of the Provincial Judge.

All Process returnable in the inferior Terms to be made and obtained in the same manner & tested in the name of the Senior Puisne Judge.

And in the district of Three Rivers in the name of the Provincial Judge.