

General issue.

dants in such action or suit may plead the general issue and give this Act and the special matter in evidence at any trial to be had thereupon; and if afterwards judgment shall be given for the defendant or defendants; or the plaintiff or plaintiffs shall become non-suited or discontinue his, her or their action or suit after the defendant or defendants shall have appeared, then such defendant or defendants shall have treble costs awarded to him, her or them against such plaintiff or plaintiffs; and have the like remedy for the same as any defendant or defendants hath or have in other cases to recover costs at law.

Treble costs.

Act 28. Geo. III chap. IV. repealed after the 5th of April, 1796.

XXI. And be it further enacted by the authority aforesaid, that an Act or Ordinance passed in the twenty-eighth year of his Majesty's reign, intituled "An Act or Ordinance for the better security of the revenue arising on the retail of wine, brandy, rum or other spirituous liquors," be and the same hereby is from and after the fifth day of April, one thousand seven hundred and ninety six, repealed.

C. A. P. IX.

An Act for granting to his Majesty an additional and new Duties on certain goods, wares and merchandises, and for appropriating the same towards further defraying the charges of the administration of Justice, and support of the civil government within this Province, and for other purposes therein mentioned.

MOST GRACIOUS SOVEREIGN,

Preamble.

WE your Majesty's most dutiful and loyal subjects the representatives of your people of the Province of Lower Canada, in Legislature assembled, towards raising the supply granted to your Majesty in the Session of the Legislature, for further defraying the charge of the administration of justice and the support of the Civil Government in this Province and for other purposes, have freely and voluntarily resolved to give and grant unto your Majesty the several additional and new rates and duties herein after mentioned, and in such manner and form as herein after expressed. And therefore 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 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 for repealing 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 from and after the passing of this Act, there shall be raised, levied, collected and paid to and for the use of his Majesty, his heirs and successors for and upon the respective goods, wares and merchandises herein after mentioned, which shall be imported or brought into any part of this Province from any place or places from whence the same may be lawfully imported, over and above all other Duties now charged and payable thereon in this Province, by any Act or Acts of the Parliament of Great Britain or of the Legislature of this Province, the several Rates and Duties following, that is to say, Ist. for every gallon English wine measure of Foreign brandy or other spirits of Foreign manufacture, three-pence. II^d. For every gallon, like measure, of rum or other spirits, three-pence; except British manufactured spirits imported from Great Britain or Ireland. III^d. For every gallon, like measure of molasses and syrups, three-pence. IVth. For every gallon like measure of Madeira wine, two-pence. Vth. For every gallon like measure of every other kind

Additional duties on certain goods, &c. imported into this Province.

The duties.

of wine, one penny. VIth. For every pound avoirdupois weight of loaf or lump sugar, one penny. VIIth. For every pound, like weight of Muscovado or clayed sugar, one half penny. VIIIth. For every pound like weight of coffee, two pence. IXth. For every pound like weight of leaf tobacco, two pence. Xth. For every pack of playing cards, two pence. XIth. For every minot of salt, four pence. And after those rates, for any greater or less quantity of such goods respectively.

Salt landed below certain limits exempted from duty.

II. Provided always, and is it hereby enacted, that if such salt shall be landed in any part of this Province below the East bank of the river Saguenay on the North shore, and the East bank of the river of Great Mitis, on the South shore of the river Saint Lawrence, no Duty shall be charged or payable thereon, any thing herein contained to the contrary notwithstanding.

Goods, &c. landed above certain limits and not entered at the custom house forfeited to his Majesty.

III. And be it further enacted by the authority aforesaid, that if any goods, wares or merchandizes shall be landed from any ship or vessel coming from sea, above the said limits of the East bank of the rivers Saguenay and Great Mitis, before the same shall be entered at the custom house at Quebec, and if any salt permitted by this Act to be landed as aforesaid Duty free, shall be afterwards put on board any ship, vessel, boat or other conveyance, and be carried above the aforesaid limits and there reloaded without being first entered at the custom house at Quebec, and the Duties thereon paid or secured to be paid as herein after directed, the said goods, wares and merchandises or salt shall be forfeited to his Majesty, his heirs and successors, and shall be sued for, recovered and divided in the same manner as other forfeitures under this Act.

Drawback on certain articles.

IV. And be it further enacted by the authority aforesaid, that there shall be allowed and paid by the collector of the customs out of the Duties which shall be by him received under this Act, a drawback of four pence for every minot of salt which shall be exported from the port of Quebec to any port or place beyond or below the limits herein before mentioned, and there shall be allowed and paid by the said collector seven pence for every tierce of salted salmon, and four pence for every barrel of salted beef or pork or of salted fish of any kind, and so in proportion for any greater or less package exported from the port of Quebec to any port or place out of this Province.

Provided the exporter observes the rules prescribed by this Act.

V. Provided always and it is hereby enacted that in order to entitle the exporter or exporters, or his, her or their agent or agents to the benefit of the said drawback or allowances on any such articles, he, she or they shall previous to putting or lading the same on board of any ship or vessel for exportation, give notice to the collector or superior Officer of the customs where the same is intended to be shipped, of his, her or their intention to export the same as aforesaid, and of the quantities thereof, and before the same shall be cleared out at the Custom-house at Quebec, oath shall be made by the exporters his or their agent before the collector or comptroller of the customs, (which oath they or either of them are hereby required and authorized to administer) that he or she verily believes that the duty of four pence per minot by this Act imposed was paid for the said salt, and that the said salted beef, pork or fish, so to be exported as aforesaid, was cured with salt on which the said duty had been paid.

Provided also that bond be given that the said articles be not reloaded in this Province.

VI. And provided also and it is hereby enacted, that the exporter or exporters, or his, her or their agent or agents, shall before receiving payment from the collector of the drawbacks and allowances aforesaid, enter into bond with good and sufficient surety to the satisfaction of the collector and comptroller, in a sum of double the amount of such drawbacks and allowances, that such salt shall not be reloaded above

the

the limits aforefaid, and that fuch falt beef, pork or fifh fhall not be reloaded in this Province, and every fuch bond fhall be deemed null and void, if no fuit or action fhall be had thereupon in three years from the date thereof.

An allowance
of duty on certain
articles.

Repealed by
41 Geo. 3.

Provided that
the manufacturer
obferves the rules
prefcribed by this
Act.

VII. And be it further enacted by the authority aforefaid, that from and after the paffing of this Act, there fhall be allowed and paid in manner hereafter directed, on all roll and carrot tobacco manufactured within the cities of Québec and Montreal and town of Three Rivers and the refpective fuburbs and banlieues of the faid cities and towns, an allowance for or abatement of duty of one penny half-penny on the pound weight avoir-du-pois: Provided always that all and every perfon or perfons fo manufacturing tobacco, fhall from time to time enter or caufe to be entered in a book or on a paper, to be, for that purpofe only, by him, her or them provided, the quantity of roll or carrot tobacco which fhall have been by him, her or them completely manufactured and finifhed for fale in the courfe of the day preceding fuch entry; and every fuch manufacturer or manufacturers fhall produce the faid book or paper before his Majesty's Juftices of the peace, in the General Quarter Sessions, to be by them held in their refpective diftricts, in the months of April and October, in every year, and make oath before them that the fame is the original book or paper by him, her or them kept for that purpofe of entering in conformity to the directions of this Act, the roll or carrot tobacco by him, her or them manufactured, and that the different quantities of roll or carrot tobacco therein entered were *bona fide* manufactured from leaf tobacco on which the duty by this Act impofed had been paid or fecured to be paid; and further that the faid manufactured tobacco has been fold, or is intended to be fold in fuch manufactured ftate, and has not been made or ground, nor is intended to be made or ground into fuff, by him, her or them, nor to the beft of his, her or their belief by any other perfon or perfons for fale; and the faid manufacturer or manufacturers fhall at the fame time prove by one or more credible witnefs or witneffes, by him, her or them employed in the aforefaid manufacture of tobacco, by oath made before the aforefaid Juftices, (which oath they are required and authorized to adminifter) that the book or paper then produced is the original book or paper which had been ufed for making the entries, required by this Act, of tobacco manufactured by fuch manufacturer or manufacturers, and that the faid witnefs or witneffes doth or do verily believe the different entries therein made to be juft and true; and the faid book or paper with the aforefaid oaths made before the Juftices aforefaid certified under the hands of the faid Juftices or any two or more of them being produced to and deposited with the collector of the Customs at Québec, the faid collector is hereby authorized and required, out any monies in his hands arifing under this Act, to pay to the faid manufacturer or manufacturers, his, her or their lawful Attorney or Attornies, the amount of the allowance or abatement, taking an acquittance or difcharge for the fame.

Duties payable
in the currency
of the Province,
and to be collected
any duties
payable to his
Majefty.

VIII. And be it further enacted by the authority aforefaid, that the faid rates and duties charged and impofed by this Act, and the drawbacks and allowances thereby granted, fhall be deemed and are hereby declared to be current money of this Province, and fhall be collected, recovered and paid at the rate of five fhillings the Spanifh milled dollar, or in other fiver or gold coin at the rates fixed and eftablifhed by the laws of this Province, enacted or that fhall be enacted for that purpofe; and fhall be raifed, levied, collected, recovered and paid in the fame manner and form, and by fuch rules, ways and means, and under fuch penalties and forfeitures, except in fuch cafes where any alteration is made by this Act, as any other duties payable to his Majesty upon goods imported into any Britifh Colony or Plantation in America, are raifed, levied, collected, paid and recovered by any Act or Acts of Parliament now in force, as fully and effectually to all intents and purpofes as if the feveral claufes, powers, directions,

penalties

penalties and forfeitures relating thereto, were particularly repealed and again enacted in the body of this present Act.

Fines and Penalties how recoverable.

IX. And be it further enacted by the authority aforesaid, that the said penalties and forfeitures by this Act inflicted, shall and may be sued for in any of his Majesty's courts of Record or in any court of Admiralty or vice Admiralty having jurisdiction in this Province, and the same shall and may be recovered and divided in the same manner and form, and by the same rules and regulations in all respects as other penalties and forfeitures for offences against the laws relating to the customs and trade of his Majesty's Colonies in America, may by any Act or Acts of Parliament now in force be sued for, prosecuted, recovered and divided.

Deductions of goods, weight on certain articles.

X. And be it further enacted by the authority aforesaid, that from the gross weight there shall be deducted by the collector for the tare of packages containing goods subject to the aforesaid duties by weight as follows, Videlicet. XIIth. On coffee in bags or bales three pounds on every hundred pounds, coffee in casks twelve pounds on every hundred pounds; XIIIth. On Muscovado and clayed sugar in casks or boxes twelve pounds on every hundred pounds. XIVth. On loaf and lump sugar in casks or boxes fifteen pounds on every hundred pounds. XVth. And on leaf tobacco in casks twelve pounds on every hundred pounds. And an allowance shall be made for leakage on all wines, spirituous liquors and molasses of three gallons on every hundred gallons; and for the waste of articles subject to the aforesaid duties by weight, an allowance shall be made of three pounds on every one hundred pounds; and on salt an allowance shall be made for waste of three minots on every hundred minots thereof, which said allowances shall be respectively deducted by the collector from the true and real gauge or nett weight or measure of the said goods respectively, at the time of their being landed. Provided always that where the original invoice of any of the aforesaid articles shall be produced and sworn to by the importer or importers consignee or consignees or his, her or their agent, (which oath the collector, or in his absence the comptroller of the customs is hereby authorized and empowered to administer,) it shall in such case be lawful to deduct the tare or tares according to such invoice from the real gross weight of such goods respectively instead of deducting the aforesaid allowances for tare of packages.

Allowance for leakage.

Allowance of duty.

Duties on goods made payable to the collector of Quebec.

XI. And be it further enacted by the authority aforesaid, that before the unloading of any goods, wares or merchandises on which any rates and duties are by this Act or any other Act of this Legislature imposed, the said rates and duties shall be paid or secured to be paid to the collector of the customs of the port of Quebec in manner following, that is to say, where the amount of the duties on goods, wares and merchandises imported in any ship or vessel on account of or consigned to one person only or several persons jointly interested, shall not exceed twenty pounds currency, the same shall be immediately deposited in money, and where the said amount shall exceed the sum of twenty pounds currency, the same may at the option of the proprietor or proprietors, or his, her or their agent or agents be either immediately deposited in money, or secured to be paid by bond to his Majesty, his heirs and successors, payable to the said collector of the customs for the time being, with condition for the payment of so much as such duties shall be found to amount unto (when the same shall be ascertained by the return or certificate of the proper officer who shall gauge, weigh, measure or tell the said goods, wares and merchandises so subject to the payment of duties,) in four months from the date of such bond, if the same shall be dated on or before the first day of September, or if dated after the first day of September, then with condition for the payment thereof as aforesaid, on the first day of January next following, which bond shall be executed by the proprietor or proprietors,

or his, her or their agent or agents, and one or more sureties to the satisfaction of the aforesaid Collector of the customs. And the Officer or Officers who shall gauge, weigh measure or tell such goods, wares or merchandises whereon the Duties have been so deposited in money, or secured to be paid, shall, if required, give to the proprietor or proprietors thereof, or to his, her or their agent or agents, without fee or reward, a duplicate of the return or certificate he shall make of such gauge, weight, measurement or tare; and the Duties shall be calculated agreeable to such return or certificate, the allowances for leakage, waste and tare, as herein before enacted, being first respectively deducted, and the amount thereof shall then be indorsed by the Collector on the bond so given for such Duties, which indorsation shall cancel and make void the surplus of such bond, and if the Duties shall have been deposited in money, such return and certificate shall entitle the proprietor or proprietors, or his, her or their agent or agents to demand and receive back the overplus, if any there be, of the money so deposited for such Duties; but if the Duties, when so calculated, shall be found to exceed the amount so deposited in money or secured to be paid, such excess shall be immediately paid to the Collector accordingly; provided always and it is hereby enacted, that no person or persons whose bond for the payment of any Rates or Duties shall be due and unsatisfied after the time therein limited for payment, shall be allowed a future credit for Duties, until such bond shall be fully paid and discharged.

No person allowed a future credit until bond be discharged.

Duties to be returned in certain cases.

XII. And be it further enacted by the authority aforesaid, that when any ship or vessel shall be entered at the Custom-house at Quebec, on board of which there shall be any goods, wares and merchandises, subject to Duty by this or any other Act or Acts of the Legislature of this Province, and on which the Duties shall have been paid, deposited or secured to be paid, and that thereafter the said goods, wares or merchandises shall be lost or destroyed before the same shall be landed from such ship or vessel, or from any vessel or craft employed to deliver or lighten such ship or vessel, either at Quebec, or in the voyage to Montreal, that then, on proof being made upon the oath of one or more credible witness or witnesses, before the Collector of the customs for the time being, which oath he is hereby authorized and required to administer, that such goods, wares or merchandises or any part thereof, specifying the same, have been so lost or destroyed before the landing of the same, the duties on the whole or the part thereof so proved to be lost or destroyed, shall, if the same shall have been paid or deposited, be repaid or returned to the owner or his agent, or if secured to be paid, the security, or a proportionable part thereof, as the case may be, shall be cancelled and discharged accordingly.

Bond when due to be put in suit.

XIII. And be it further enacted by the authority aforesaid, that where any bond for the payment of Rates and Duties shall not be satisfied on the day it shall become due, the Collector shall forthwith cause a prosecution to be commenced for the recovery of the money due thereon, by action or suit, at law in any of his Majesty's courts of King's Bench of this Province.

In what cases persons under agreement may add the Duties imposed by this Act.

XIV. And whereas agreements may have been made before the first day of March, one thousand seven hundred and ninety-five, by merchants or dealers in the articles herein subjected to Rates and Duties for the delivery of the same at a fixed price, without any stipulation therein inserted respecting future duties, be it therefore enacted by the authority aforesaid, that the person or persons supplying any such article at a fixed price, in pursuance of such former agreement or contract, shall be allowed to add the duties hereby imposed upon such articles, to the price thereof so fixed by agreement or contract, and shall be entitled by virtue of this Act to be paid the same accordingly, provided that the articles be supplied on such former agreement or contract, were not imported into this Province before the passing of this Act.

Goods damaged
or abatement
made.

XV. And be it further enacted by the authority aforesaid, that if any goods, wares or merchandises on which Duties are payable by this Act, and which shall be imported into this Province after the passing thereof, shall receive any damage by salt, water or otherwise during the course of the voyage after such goods, wares or merchandises shall have been laden or shipped in foreign parts, and before the same shall be unshipped or discharged from the ship or vessel, in which they shall be imported into this Province, so that the owner or owners thereof shall be prejudiced in the sale of such goods, wares or merchandises: the two principal Officers of the customs at the place where the same shall be landed, if there are two, otherwise the principal Officer shall have power to choose three indifferent merchants experienced in the value of such goods, wares and merchandises, who or any two of whom upon viewing the same, shall certify and declare upon their corporal oaths, first administered by the said Officers, or one of them, who is and are hereby authorized and empowered to administer the same, what damage such goods, wares or merchandises have received, and how much the same are valued in their true value by such damage, in relation to the Duties imposed on them by this Act, and thereupon the principal Officers of his Majesty's customs at Quebec, whereof the Collector for the time being shall be one, shall and they are hereby authorized and required to make a proportionable allowance to the merchant by way of return or payment out of the Duties due or which shall have been actually paid for the same.

The Collector to
make up his ac-
counts.

XVI. And be it further enacted by the authority aforesaid, that an account of all the monies which shall arise by the aforesaid Rates and Duties, shall be made up quarterly by the Collector of the customs and controlled by the Comptroller thereof, and signed by both of them, and sworn to by the Collector, before the Governor, Lieutenant Governor or Person administering the government, and to him delivered and all such monies shall be paid at the end of every quarter into the hands of his Majesty's Receiver General of this Province, without deduction, excepting only such sum or sums as shall have been paid by the Collector for the drawback on salt and the allowances on the exportation of salted beef, pork and fish, and excepting also such sum or sums of money as shall have been by him repaid or returned for Duties on goods, wares or merchandises which shall have been lost, destroyed or damaged before the same were landed; and also such sum or sums of money as shall have been paid for allowance or abatement of Duty on tobacco manufactured in this Province, as herein before directed; and there shall also be made up quarterly an account of the incidents incurred, and the same shall be signed by the Collector and Comptroller, and sworn to by the said Collector in manner before directed, which account shall also be delivered to the Governor, Lieutenant Governor or Person administering the government, and being by him approved in his Majesty's Executive Council, a warrant shall issue directed to the Receiver General for the payment thereof to the said Collector.

Exception.

All Duties im-
posed by this Act
made payable to
his Majesty.

XVII. And be it further enacted by the authority aforesaid, that out of the monies which shall arise by the Rates and Duties, granted by this Act, and by the Duties granted by an Act passed in this Session of the Legislature, intituled, "*An Act for granting to his Majesty Duties on licences to Hawkers, Pedlars and Petty chapmen, and for regulating their trade; and for granting additional Duties on licences to persons for keeping houses of public entertainment or for the retailing wine, brandy, rum or any other spirituous liquors in this Province, and for regulating the same, and for repealing the Act or Ordinance therein mentioned,*" and further which shall arise by such part or parts of the penalties and forfeitures incurred under all or either of the said Acts, as by all or either of them, is or are directed to be paid to and for the use of his Majesty, his heirs and successors, there shall be issued and paid the sum of two hundred and eleven pounds, fifteen shillings

£211. 15s. 2d.
to discharge the

like sum borrowed from the Military chest.

£498. 8s. 4d. to make good the like sum issued by the Governor's order, pursuant to the address of the Assembly.

£339. 4s. 6d. to be repaid to Upper-Canada.

Upper-Canada annually to receive one eighth of the Duties imposed on Goods imported into this Province.

£455. 14s. 13d. currency, granted for the support of the civil government of this Province.

lings and two-pence current money of this Province, to reimburse the like sum borrowed from his Majesty's military chest, to discharge a ballance due on the twenty-fifth day of December last, on the warrants, issued by the Governor for payment of the salaries of the Officers of the Legislative Council and Assembly, and the contingent expences thereof; and there shall also be issued and paid the sum of four hundred and ninety-eight pounds eight shillings and four-pence current money of this Province, to make good the like sum expended by order of the Governor on the repairs of the House in which the Assembly sits, in pursuance of an address of the Assembly bearing date the twenty-ninth day of May, one thousand seven hundred and ninety-four; and there shall also be issued and paid the sum of three hundred and thirty three pounds four shillings and two-pence said currency, to the Province of Upper-Canada, being the amount due to the said Province for their proportion of Duties imposed and levied on wines in the years one thousand seven hundred and ninety-three, and one thousand seven hundred and ninety-four, as established by a provisional agreement entered into at Montreal, on the eighteenth day of February last, by Commissioners on the part of the said Provinces; and confirmed by an Act of the Legislature of this Province passed in this Session; and in pursuance of the said provisional agreement, there shall also be issued and paid annually to the Province of Upper-Canada, one eighth part of the nett produce of the Rates and Duties imposed by this Act or any other Act of this Legislature, on goods, wares and merchandises which shall be imported into this Province on or before the thirty-first day of December, which will be in the year one thousand seven hundred and ninety-six, the expence of levying, collecting, receiving and paying the same being first deducted; and there shall also be issued and paid annually the sum of five thousand five hundred and fifty-five pounds eleven shillings and one penny and one third of a penny current money of this Province, being equal to five thousand pounds sterling money of Great-Britain, towards further defraying the expences of the administration of Justice, and of the support of the civil government in this Province, and all and every the monies so appropriated shall be paid by the Receiver General of this Province upon such warrant or warrants as shall be from time to time issued by the Governor, Lieutenant Governor or Person administering the Government of this Province for the time being, for the purposes before mentioned, and no other, and the residue, if any there shall be, of the monies arising from the aforesaid Rates and Duties, and also from such part or parts of the aforesaid penalties or forfeitures as shall be paid to the Receiver General for the use of his Majesty, shall remain and be reserved in the hands of the said Receiver General, for the future disposition of the Legislature of this Province, and the due application of all such monies pursuant to the directions of this Act, shall be accounted for to his Majesty, his heirs and successors, through the Lords Commissioners of his Majesty's treasury, in such manner and form as his Majesty, his heirs and successors shall direct.

The sum due Upper-Canada to be paid to the person authorized to receive the same.

XVIII. And be it further enacted by the authority aforesaid, that the monies herein before directed to be issued and paid to the Province of Upper-Canada, shall be paid from time to time to such person or persons as shall be authorized by the Government of that Province to receive the same; provided always that no such payment shall be made until an Act shall be passed by the Legislature of the said Province, to ratify, and confirm the provisional agreement herein before mentioned, any thing herein contained to the contrary notwithstanding.

Persons taking a false oath subject to the pains of wilful and corrupt perjury.

XIX. And be it further enacted by the authority aforesaid, that any person or persons who shall be convicted of wilfully taking a false oath in any of the cases in which an oath is required to be taken by virtue of this Act, shall be liable to the pains and penalties to which by law persons are liable for wilful and corrupt perjury.

Limitation of actions

General issue

Treble costs

XX. And be it further enacted by the authority aforesaid, that if any action or suit shall be brought or commenced against any person or persons for any matter or thing by him or them done or executed by virtue of and in pursuance of this Act, such action or suit shall be commenced within six months after the matter or thing done, and not afterwards, and the defendant or defendants in such action or suit shall and may plead the general issue and give this Act and the special matter in evidence at any trial to be had thereon, and that the same was done in pursuance of and by authority of this Act; and if afterwards judgment shall be given for the defendant or defendants, or the plaintiff or plaintiffs shall become nonsuited, or shall discontinue his, her or their action or prosecution after the defendant or defendants shall have appeared; then such defendant or defendants shall and may recover treble costs, and have the like remedy for the same as any defendant or defendants hath or have to recover costs in other cases at law.

C. A. P. XI.

An Act to remove any doubts that may arise regarding the validity of certain proceedings in the Superior Terms of the Court of King's Bench at Montreal.

Enactment

Reciting clause 35 Geo. III. chap. 6.

WHEREAS by an Act passed in the last session of the Legislature, intituled: "An Act for the division of the Province of Lower-Canada, for amending the Judicature thereof, and for repealing certain laws therein mentioned," it is amongst other things enacted; that two or more Justices of the Courts of King's Bench respectively shall hold in the city of Quebec for the district of Quebec, and in the city of Montreal for the district of Montreal, four superior terms of the said Courts in every year, that is to say, on the first twenty judicial days in the months of February, April, June and October; and that the said courts shall continue to be held every day, Sundays and holidays excepted, during the said several terms; and whereas the Superior Term of the said court which by the fore-cited Act ought to have been held at Montreal in February last, was not held, therefore to remove any doubts that may arise respecting the validity of proceedings in the subsequent Superior Terms of said court, on suits and actions remaining undecided in the former court of Common Pleas, and transmitted into the said court of King's bench in pursuance of the aforesaid Act, and which by reason of the aforesaid February Term not having been held, were suspended; be it 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 to provide 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 all and every suit and action which shall have been transmitted as aforesaid, shall be and are hereby continued, and all proceedings which shall have been had, or that may hereafter be had thereon in the Superior Terms of the aforesaid court of King's Bench, shall have the same force and effect to all intents and purposes, as if the aforesaid Superior Term of such court had been held at Montreal in February last as by the fore-cited Act directed, any Law, Statute Usage or Custom to the contrary notwithstanding.

Suits, &c. suspended by the act holding the February term of the court of Kings Bench at Montreal continued.