

The Provincial Statutes of Lower-Canada, Being the second session of the ninth Provincial Parliament of Lower-Canada. Quebec: P. E. Desbarats, Printer to the King's Most Excellent Majesty, 1818.

58 George III – Chapter 12

An Act to extend the provisions of an Act passed in the thirty-fourth year of His Majesty's Reign, intituled, "An Act for the division of the Province of Lower-Canada, for amending the Judicature thereof, and for repealing certain Laws therein-mentioned," and to provide more effectually for the administration of Justice in this Province." (1st April, 1818.)

MOST GRACIOUS SOVEREIGN,

Whereas by an Act passed in the thirty-fourth year of His Majesty's Reign, intituled, "An Act for the division of the Province of Lower-Canada, amending the judicature thereof, and for repealing certain Laws therein-mentioned," it is enacted, that the Court of King's Bench for the District of Quebec, shall consist of Your Majesty's Chief Justice for the said Province, and three Puisne Justices and that the Court of King's Bench for the District of Montreal shall consist of your Majesty's Chief Justice of the said Court, and three Puisne Justices: And whereas there now exist in the said Courts proceedings wherein the said Chief Justices, or the said Puisne Justices may be incompetent to fit and adjudge in their respective Courts, by reason of sickness, and to execute the duties of their offices, whereby Your Majesty's subjects are put to great inconvenience and delay in the recovery of their just demands— Wherefore, we, Your Majesty's faithful and loyal subjects, the Legislative Council and Assembly of Lower-Canada, taking into consideration the Message in his behalf of His Excellency the Governor in Chief, to both Houses of the Provincial Parliament, 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 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 from and After the passing of this Act, it shall be lawful for the Governor, Lieutenant Governor, or person administering the government of this Province for the time being whenever, by reason of illness, any, or either of the aforesaid Chief Justices, or Puisne Justices, cannot by Law preside, or fit in their respective Court, to authorize and empower any other of the Judges in this Province to supply the place of, and perform the duties of such Chief Justice or Puisne Justices, incapable of acting as aforesaid, by reason of illness; or in case it may not be expedient to do, to nominate, constitute, and appoint, by an instrument or instruments under the Great Seal of the Province, one or more Assistant Judges, to fit and act in the said Courts, or in either of them, during such illness.

II. And be it further enacted by the authority aforesaid, that the said Assistant Judges, who shall or may be as aforesaid nominated, constituted, and appointed, shall have the same power and authority in the Court of King's Bench for the District of Three-Rivers [Trois-Rivières] in term, as the Justices of

either of the Courts of King's Bench for, the Districts of Quebec and Montreal, now by law have, when fitting in term in the said Court of King's Bench for the District of Three-Rivers.

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