

In the absence of the President, a Vice President to be elected who shall have the same Powers.

Commissioners relieved from Reporting within 20 days after the Session of 1822.

But not to delay their Report beyond 15 h. Feb. 1823.

sion for the Government of the said Province," and by the authority of the same, That in the absence of the President of the Commission established by the said first recited Act, it shall and may be lawful for the remaining Commissioners or a majority of them, not less than three being present, to choose one of their number to be Vice-president, who in the absence of the President shall have the like powers and authorities as are vested in the said President in and by virtue of the said Act, any thing to the contrary thereof in the said Act contained, notwithstanding.

*And be it further enacted by the authority aforesaid,* That for the better enabling the said Commissioners to perform the duties required of them by the said Act, so much thereof as requires the said Commissioners to report their proceedings within twenty days after the Session of One thousand eight hundred and twenty-two, be and the same is hereby repealed.

*Provided always, and be it further enacted by the authority aforesaid,* That nothing in this Act contained shall extend or be construed to extend to authorise the said Commissioners to delay the delivery of the said report beyond the fifteenth day of February next.

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## C H A P. II.

An Act to provide for the Establishment of Courts in the District of Bathurst, and for other purposes therein mentioned.

[Passed 29th January, 1823.]

Preamble.

**W**HEREAS by an Act passed in the second year of His present Majesty's Reign, entitled "An Act to repeal part of an Act passed in the thirty-eighth year of His late Majesty's Reign, entitled 'An Act for the better division of this Province, and to make further provision for the division of the same into Counties and Districts,'" it is among other things provided, that the Governor, Lieutenant Governor, or Person administering the Government of this Province may by Proclamation, as soon as he may think fit, declare the County of Carleton a separate District, by such name as to him may seem meet: And whereas His Excellency the Lieutenant Governor has been pleased, by his Proclamation bearing date the thirteenth day of November, in the year of our Lord one thousand eight hundred and twenty two, to declare the said County of Carleton a separate District, by the name of Bathurst, 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 Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled '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 by the authority of the same, That the Courts of Oyer and Terminer, Assize, Nisi Prius, Gaol Delivery, and of the Peace; Courts of General Quarter Sessions of the Peace; District Court, Surrogate Court, Court of Requests, and every Court and Jurisdiction whatsoever, held or to be held, possessed and enjoyed, in and by other Districts of this Province, shall from henceforth, with the like powers and authorities be held, possessed, and enjoyed, in and by the said District of Bathurst, and shall have full power and authority to hear and determine all such causes, whether criminal or civil, as might or would have been heard and determined in any of the Courts of the District of Johnstown had this Act not have been passed, and that the provision made for the support of District and Common Schools, and all and every jurisdiction, regulation, rule, privilege, exemption, matter or thing which hath or have been enacted, provided and declared by any Act or Acts of the Parliament of this Province made, or to be made, touching or concerning the said other Districts, shall be, and are hereby extended to that District, unless otherwise provided for and declared by this Act, and that Courts of Oyer and Terminer, Assize, Nisi Prius, and Gaol Delivery, shall first be held, unless under Special Commission in and for the said District of Bathurst, during the vacation between Trinity and Michaelmas Terms next, in like manner as the same Courts are usually held throughout this Province.

Courts established in the District of Bathurst.

Former Provisions relative to Common Schools and all other privileges of other Districts extended to Bathurst.

II. *And be it further enacted by the authority aforesaid,* That it shall be lawful for the Justices of the Peace in the said District, to hold a special Session, as soon as conveniently may be after the passing of this Act for the purposes of granting certificates to persons desirous of obtaining Tavern Licences for the current year, to enable them to procure the same from the Inspector of Licences for the said District.

Justices of the Peace to hold a special Session immediately after the passing of this Act for the purpose of Licencing Public Houses. held in the Court House in Perth.

III. *And whereas it appears that a Gaol and Court House have been erected in the Town of Perth, in the Township of Drummond, in the said District, Be it further enacted by the authority aforesaid,* That the several Courts for the due administration of Justice shall be held in the said Court House in the said Town of Perth, any thing to the contrary thereof notwithstanding.

IV. *And be it further enacted by the authority aforesaid,* That the Courts of General Quarter Sessions of the Peace in and for the District of Bathurst, shall commence on the third Tuesdays in March, September and December, and the second Tuesday in June, and the terms of the District Court, and Surrogate Court for the said District, shall commence and be holden on the Monday of the week next but one preceding that in which the Quarter Sessions shall be holden, and end on the Saturday of the same week.

Periods for holding the Quarter Sessions and District Courts.

V. *And be it further enacted by the authority aforesaid,* That the assessments or rates, levied or to be levied for the year of our Lord one thousand eight hundred and twenty-two within the said District of Bathurst, shall be applied and expended for the like purposes within that District as they now are or may be applied and expended under or by virtue of any Act or Acts of the Parliament of this Province, made or to be made in the other Districts of this Province.

Rates levied for the year 1822, in Bathurst shall be expended within that District, in the same manner as rates collected in other Districts are expended therein respectively.

Monies due from the District of Bathurst to the District of Johnstown, or vice versa to be accounted for between the Treasurers of the said Districts respectively.

VI. *Provided always, and be it further enacted by the authority aforesaid, That* the Justices of the Peace in General Quarter Sessions assembled for the said District of Bathurst shall, and they are hereby required to order the Treasurer of the said District to pay from and out of the monies which he shall receive as such Treasurer, within two years from the passing of this Act. such arrearages as may be due from the said District to the Treasurer of the Johnstown District, and also all such sums as may have become due, or may have been paid during the year one thousand eight hundred and twenty-two by the District of Johnstown for the said District of Bathurst, arising from the arrest or support of Prisoners, or in any other manner whatsoever, any thing in this Act to the contrary notwithstanding.

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### C H A P. III.

An Act providing for the Publication of Reports of the decisions of His Majesty's Court of King's Bench in this Province.

[Passed 19th March, 1823.]

Preamble.

**W**HEREAS from the Infant State of this Colony the publication of the decisions of His Majesty's Court of King's Bench in this Province, would be attended with more expence than the probable sale of reports thereof would compensate, whereby individuals are prevented reporting the same; and whereas it is extremely desirable for the information of the Public, that some public Record of the judicial opinion of the Judges of the said Court should be kept, 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 Upper-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled, '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 by the authority of the same, That it shall and may be lawful for a Reporter to be appointed as hereinafter mentioned, the same to be an officer of the Court, and amenable thereto, for the correct and faithful discharge of his duty to submit to the inspection of the Court on the first day of each Term, a fair report of all the decisions given by the Court and noted by him during the last preceding term, which report after due examination and correction by the whole Court, shall be signed in open Court by all the Judges present, and shall from thenceforth become an authentic report of all such decisions.

Reporter to be appointed.

Reports to be examined and signed by the Judges.

Attornies to take out annually before the first day of

II. *And be it further enacted by the authority aforesaid, That every Attorney of His Majesty's Court of King's Bench in this Province shall annually on or before the first day of Michaelmas Term, take out a certificate from the*