

and Successors, and of all and every other person and persons, other than the said John White, and the said Peter Russell, and their respective Heirs, in trust, to dispose of the same, and out of the monies arising from the sale thereof, to pay the just debts of the said John White, still remaining due and unpaid, and the residue of the monies arising from such sale or sales to pay over to such person or persons as shall be by law entitled thereto, deducting all necessary expenses.

Trustees may bring Actions for waste or damage committed.

II. *And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the person or persons in whom the title to any Lands shall become vested, as Trustee or Trustees, under this Act, to sue for and recover damages for any waste or injury committed heretofore, or that may be hereafter committed upon such Lands, in the same manner as the said Peter Russell could or might do if he were living.

CHAP. XXXVIII.

AN ACT to authorise His Majesty's Justices, under certain provisions therein mentioned, to hold Courts of Oyer and Terminer, Assize and Nisi Prius, and General Gaol Delivery, in the Ottawa District.

[Passed 4th March, 1837.]

Preamble.

WHEREAS from the increase of the Population and business of the District of Ottawa, it has become expedient that the Courts of Assize, Nisi Prius, Oyer and Terminer, and General Gaol Delivery, should, under certain provisions herein mentioned, be held in the said District, and that the said District shall enjoy all the privileges possessed by the other Districts of this Province: *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 from and after the passing of this Act, the fifth, sixth, seventh, eighth, ninth and tenth Clauses of a certain Act of the Parliament of this Province, passed in the fifty-sixth year of the Reign of His late Majesty King George the Third, entitled, "An Act to repeal part of an Act of the Parliament of this Pro-

Sections 5, 6, 7, 8, 9, and 10, of 56 Geo. III. ch. 2, repealed.

vince, passed in the thirty-eighth year of His Majesty's Reign, entitled, 'An Act for the better division of this Province, and more effectually to provide for the administration of Justice, by constituting the Counties of Prescott and Russell, under certain modifications, a separate District," be and the same are hereby repealed: *Provided always, nevertheless*, that the expense of maintenance of any Prisoner or Prisoners, which before the passing of this Act has been conveyed from the District of Ottawa to the Eastern District, pursuant to the provisions of said Act, shall be borne by the District of Ottawa.

Expenses of certain Prisoners to be borne by Ottawa District.

II. *And be it further enacted by the authority aforesaid*, That the Courts of Oyer and Terminer, Assize and Nisi Prius, and General Gaol Delivery, and every Court and Jurisdiction whatsoever, held or to be held, enjoyed and possessed, in and by the other Districts of this Province, shall from henceforth, with the like power and authorities, be held, possessed and enjoyed, in and by the said District of Ottawa, and shall have the same power and authority to hear and determine all causes, whether criminal or civil, as such Courts have or may have in other Districts of this Province; and that 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.

Courts to be held in the Ottawa District.

Laws relating to other Districts generally, to be equally applied to the new District.

III. *And be it further enacted by the authority aforesaid*, That the said Courts shall be holden at the Court-house of the said District, in the Village of L'Original, in the Township of Longueil.

Courts to be held at L'Original.

IV. *And be it further enacted by the authority aforesaid*, That this Act shall not take effect, until provision shall be made by Law for increasing the number of Judges in His Majesty's Court of King's Bench, in this Province, and for defraying such contingent charges of the Circuits, in respect to the said District of Ottawa, as were accustomed to be paid before the surrender by the Crown of the Duties levied under a certain Act of the Parliament of Great Britain, passed in the fourteenth year of His late Majesty King George the Third, entitled, "An Act to establish a fund towards further defraying the charges of the administration of Justice, and support of the Civil Government within the Province of Quebec, in America."

This Act not to take effect till the number of Judges of King's Bench be increased;

And provision be made for contingent charges of Circuit.