

# STATUTES

OF

## Upper Canada,

PASSED IN THE FIFTH SESSION OF THE THIRTEENTH PROVINCIAL PARLIAMENT :  
MET AT TORONTO ON THE THIRD DAY OF DECEMBER, 1839, AND PROROGUED ON THE  
TENTH DAY OF FEBRUARY, 1840, IN THE THIRD YEAR OF THE  
REIGN OF VICTORIA.

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THE RIGHT HONOURABLE C. POULETT THOMSON,  
GOVERNOR-GENERAL.

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ANNO DOMINI 1840.

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### CHAP. I.

*AN ACT to authorise the appointment of Commissioners to regulate the  
Practice of the Court of Chancery.*

[Passed 10th February, 1840 ]

**W**HEREAS it is necessary to make further provision for the regula- Preamble.  
tion of the Practice of the Court of Chancery : *Be it therefore enacted*  
by the Queen's most Excellent Majesty, by and with the advice and con-  
sent 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 Ma-  
jesty'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

Governor may issue  
Commissions:

With power to alter and  
establish the Practice  
and Costs of Chancery.

by the authority of the same, That it shall and may be lawful for the Governor of this Province, from time to time, and as often as occasion shall require, to issue a Commission or Commissions under the Great Seal of the Province, directed to the Vice-Chancellor and any two or more Judges of the Court of Queen's Bench, (of whom the Chief Justice may be one) authorising them from time to time to make such Rules, Regulations and Orders, for altering or establishing the Practice of the Court of Chancery, and the Costs of its proceedings, as to them or a majority of them may seem fit, and calculated to promote the ends of Justice.

## CHAP. II.

*AN ACT for the better regulation of the Office of Reporter to the Court of Queen's Bench in this Province.*

[Passed 10th February, 1840.]

Preamble.

**WHEREAS** it is expedient to repeal an Act passed in the fourth year of the reign of His late Majesty King George the Fourth, entitled, "An Act providing for the publication of Reports of the decisions of His Majesty's Court of King's Bench in this Province," and to substitute other provisions in lieu thereof: *Be it therefore enacted* by the Queen'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 said Act be and the same is hereby repealed.

4th Geo. 4th, ch. 3, repealed.

Law Society may appoint  
reporter, who shall be an-  
swerable to them for the  
discharge of his duty, and  
subject to rules made by  
them, with the approba-  
tion of the Judges.

*II. And be it further enacted by the authority aforesaid,* That it shall and may be lawful for the Law Society of the Province of Upper Canada in Convocation, by an Instrument under the Seal of the Society, to appoint to the Office of Reporter of Her Majesty's Court of Queen's Bench in this Province; and that from and after the passing of this Act the Reporter shall be answerable to the said Society in Convocation for the correct and faithful discharge of his duty, and shall be subject to such