

Laws of His Majesty's Province of Upper Canada in North America, passed in the year 1823.
York: Charles Fothergill, 1823.

4 George IV – Chapter 2

An Act to provide for the Establishment of Courts in the District of Bathurst, and for other purposes therein mentioned. Passed 29th January, 1823.

Whereas 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.

II. And be it further enacted by the authority aforesaid, that it shall be lawful for the Justices of the Peace in the 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 Licenses for the said District.

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.

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.

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.