

by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that so much of the Provincial Statute of the late Province of Lower Canada, first above cited, as enacts that the Terms of the said Inferior District, now the District of Saint Francis, shall be from the first to the seventh day, both days included and Sundays excepted, of the months of February and October in every year, shall be, and the same is hereby repealed, from and after the twenty-first day of April, in the year one thousand eight hundred and forty-four.

A certain part of the said Act repealed.

II. And be it enacted, that from and after the day last aforesaid, the said Terms of the said General Sessions of the Peace, in and for the said District of Saint Francis, shall be from the first to the seventh day of March, and from the twenty-fourth to the thirtieth day of September in each year, both days inclusive, and Sundays and Holidays excepted.

At what time the General Sessions of the Peace shall be held in the said District.

C A P. XXI.

An Act to alter and amend certain provisions of the Ordinance of the Governor and Council of Lower Canada, of the second year of Her Majesty's reign, intituled, *An Ordinance for establishing an efficient system of Police in the Cities of Quebec and Montreal*.

[9th December, 1843.]

WHEREAS it is just and necessary to alter and amend certain parts of an Ordinance of the Governor and Special Council for the affairs of the late Province of Lower Canada, passed in the second year of Her Majesty's reign, intituled, *An Ordinance for establishing an effective system of Police in the Cities of Quebec and Montreal*; Be it therefore enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that from and after the passing of this

Preamble.

Ordinance of L. C. 2 V. (1) c. 2, cited.

Part of the said Ordinance repealed, and other provisions substituted for those of the Ordinance.

A fine may be imposed.

Offender may be committed, if the fine be not paid.

this Act, it shall not be lawful for any Justice or Justices of the Peace to commit persons convicted under the said Ordinance, of being loose, idle, and disorderly, to the common Gaol or House of Correction, at hard labor, and that so much of the said Ordinance as confers any power of imprisonment on Justices of the Peace, of persons so convicted, shall be and the same is hereby repealed; Provided always, that it shall be lawful for any Justice or Justices of the Peace, to impose upon persons hereafter to be convicted under the said Ordinance, of being loose, idle, and disorderly, a pecuniary fine or penalty not exceeding five pounds sterling, to be levied by attachment of their several goods and chattels, and sale thereof, eight days after such attachment, and not by distress, if such persons so convicted shall be residents of the parish or place where such conviction shall be made; and in default of sufficient levy upon such goods and chattels, to cover such penalty and costs of seizure and sale, or if such persons so convicted shall not be residents or being residents shall have no goods and chattels by the sale whereof, the said penalty may be levied, and shall not, forthwith upon such conviction, pay such penalty, it shall be lawful for such Justice or Justices to commit such offenders so convicted, to the common Gaol or House of Correction, to be imprisoned for any period not exceeding two months, either at hard labor or otherwise, in the discretion of such Justice or Justices.

So much of the Ordinance as deprives parties of the benefit of Certiorari, &c., &c., in certain cases, repealed.

II. And be it enacted, that so much of the said Ordinance as deprives parties convicted, as aforesaid, of the benefit of Her Majesty's Writ of Certiorari, and also so much of the same as enacts that no conviction, order, warrant, commitment, or other matter, made or purporting to be made, under the said Ordinance, shall be quashed for want of form, or held void by reason of any defect therein, shall be and the same is hereby repealed.

Charge to be reduced to writing, in certain cases.

III. And be it enacted, that in all proceedings to be commenced against loose, idle, and disorderly persons, the charge shall be reduced to writing and shall be stated by the Justice or Justices of the Peace to the party or parties accused, who shall be held to plead forthwith to the same; and the said charge shall be summarily tried, due time being given to the party accused to procure the attendance of the necessary witnesses to establish his defence, if he shall so require.

Appeal granted to the Quarter Sessions in such cases.

IV. And be it enacted, that it shall be lawful for any person convicted under the said Ordinance to appeal from such conviction to the next ensuing General Quarter Sessions of the Peace, upon giving good and sufficient security to pay the penalty awarded against him and all costs of such Appeal; and the said Sessions of the Peace are hereby empowered to hear such Appeal and to dispose of the same, and award costs in manner and form as practised upon other Appeals.

V.

V. And be it enacted, that every commitment to Gaol or to the House of Correction, shall specify the particular fact or facts, as to time, place and circumstance, which constitute the offender as a loose, idle, and disorderly person; and any commitment which shall not specify such facts, shall be held to be insufficient, and the party imprisoned under color thereof shall be entitled to be discharged from imprisonment, upon application to that effect to any Judge or Justice of Her Majesty's Courts of King's Bench or Queen's Bench, or any other person authorized by law to act in the absence of such Judge or Justice.

The particular facts which constitute a person loose, idle or disorderly, to be stated in the Commitment.

In default, the party may be discharged.

C A P. XXII.

An Act to amend the Ordinance providing for the Registration of Titles to Real Property or Incumbrances thereon in Lower Canada; and further to extend the time allowed by the said Ordinance for the Registration of certain claims.

[9th December, 1843.]

WHEREAS it is expedient to increase the facilities for the Registering of certain Instruments relative to Real and Immoveable Estates in Lower Canada, by amending and repealing certain parts of the Ordinance of the Governor and Special Council of the late Province of Lower Canada, intituled, *An Ordinance to prescribe and regulate the Registering of Titles to Lands, Tenements and Hereditaments, Real or Immoveable Estates, and of charges and incumbrances on the same; and for the alteration and improvement of the Law in relation to the Alienation and Hypothecation of Real Estates, and the Rights and Interest acquired therein;* Be it therefore enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada,* and it is hereby enacted by the authority of the same, that the fifth section of the above in part recited Ordinance, and so much of the fifty-eighth section of the said Ordinance as substitutes the Districts to be constituted, by Proclamation, for the Judicial Districts mentioned in the said fifth section, shall be and the same is hereby repealed, from and after the first day of March, in the year one thousand eight hundred and forty four.

Preamble.

Ord. 4 V. c. 30, cited.

The fifth section and part of the fifty-eighth section of the said Ordinance repealed.

II. And be it enacted, that from and after the day last aforesaid, there shall be established in each and every County, in that part of this Province heretofore
Lower

Registry Offices established for the se-