

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 whenever any Judge of the Superior Court shall, by illness, suspension from office, or other cause, be unavoidably prevented from performing his duties as such Judge, it shall be lawful for the Governor, if he shall see fit, to appoint by an Instrument under the Great Seal of the Province, some person qualified to be appointed a Judge of the said Court, to be an Assistant Judge thereof, either for a time certain, to be limited in such Instrument, or during the time the Judge first mentioned shall continue unable to perform his duties, in which last case the appointment of such Assistant Judge shall determine whenever such first mentioned Judge shall resume the performance of his duties or another Judge shall be appointed in his place: and during the time the appointment of any such Assistant Judge shall remain in force, he shall have and exercise all the powers and authority, and perform all the duties by law vested in or assigned to a Judge of the said Superior Court, as if he had been appointed a Judge thereof, and shall reside at the place named for that purpose in the Instrument appointing him.

Assistant Judges of the Superior Court may be appointed in certain cases.

#### CAP. XIV.

An Act to amend the Act providing for the Summary Decision of Small Causes in Lower Canada.

[10th November, 1852.]

**W**HEREAS experience hath shewn the necessity of introducing certain alterations in the provisions of an Act passed in the seventh year of Her Majesty's Reign, intituled, *An Act to provide for the Summary Trial of Small Causes in Lower Canada*; 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 on a petition signed by an absolute majority of the inhabitants of a Parish, Seigniorship or Township in Lower Canada, in which there now is, or in which there may then be a Court for the trial of Small Causes, and who are entitled to vote at the election of Municipal Councillors, which petition shall have annexed to it a Certificate of at least three persons residing in such Parish, Seigniorship or Township, (and who shall be respectively either Justices of the Peace or Officers of Militia holding rank higher than an Ensign,) certifying that the persons signing the petition do really form an absolute majority of the Municipal Electors residing in such

Preamble.

Act 7/V. c. 19.

Court may be discontinued on petition of an absolute majority of the Municipal Electors of the place.

Proviso. such Parish, Seigniorv or Township, the said petition praying that the Commissioners' Court in the said Parish, Seigniorv or Township may be suspended or discontinued, it shall be lawful for the Governor in Council to suspend or discontinue it; Provided always, that after the passing of this present Act no Commissioners' Court shall be established or re-established, unless on a petition signed by an absolute majority of the Municipal Electors of a Parish, Seigniorv or Township in Lower Canada, and certified as aforesaid.

### C A P . X V .

An Act to extend and amend an Act passed in the ninth year of Her Majesty's Reign, intituled, *An Act to provide for the appointment of Magistrates for the more remote parts of this Province.*

[10th November, 1852.]

Preamble.

WHEREAS it is expedient that more ample provisions should be made for the appointment of Justices of the Peace to act and have jurisdiction in the remote parts of this Province: 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 it shall be lawful for the Governor in Council, in the manner provided for in an Act passed in the ninth year of Her Majesty's reign, intituled, *An Act to provide for the appointment of Magistrates for the more remote parts of this Province*, to name and appoint such and so many fit and proper persons as may be deemed expedient to be, and act as Justices of the Peace within, and whose jurisdiction as such Justices of the Peace shall extend over such remote part or parts of Lower Canada, as the Governor in Council may by Proclamation define and declare, although such remote part or parts may be comprised within the constituted limits of any District of this Province, any thing to the contrary in the said Act contained notwithstanding, and that all the provisions of the said Act shall be deemed to apply and shall apply, to any Justice of the Peace to be appointed by virtue of this Act; and also to any Officer or Officers in command of any of Her Majesty's Vessels in the Gulf and River St. Lawrence, and to any other person who may have been or shall have been appointed a Justice of the Peace, with instructions to act as such in the Gulf and River St. Lawrence, and on the shores of the said Gulf and River, for the better protection of those of Her Majesty's subjects who are or shall be engaged in the trade of the Fisheries in the

Provisions of 9 Vict., cap. 41, extended to Justices appointed in certain places, and for certain purposes.