

Proviso :
Proof of ser-
vice how
made.

subpœna or other similar process in Lower Canada, shall be proved by the certificate of a Bailiff within the jurisdiction where the service is made, under his oath of office, and such service in Upper Canada by the affidavit of service endorsed on or annexed to such writ by the person or persons serving the same.

Costs of at-
tendance how
taxable.

IV. The costs of the attendance of any such witness shall not be taxed against the adverse party to such suit, beyond the amount that would have been allowed on a commission *rogatoire*, or to examine witnesses, unless the Court or Judge before whom such trial or *enquête* or examination of witnesses is had, shall so order.

Act to apply
to cases in
Circuit Court
for Lower
Canada.

V. The several provisions of this Act shall apply to the summoning of witnesses residing within the jurisdiction of the Circuit Court held at any one place, to attend at any trial or *enquête* before the Circuit Court at any other place in Lower Canada.

Act not to
affect power
to examine by
commission.

VI. Nothing herein contained shall alter or affect the power of any such Courts to issue a commission for the examination of witnesses out of their jurisdiction, in any case in which, notwithstanding this Act, they shall think fit to issue such commission.

Act not to
affect admis-
sibility of
evidence.

VII. Nothing herein contained shall alter or affect the admissibility of any evidence at any trial or proceeding, where such evidence is now by law receivable on the ground of any witness being beyond the jurisdiction of the Court, but the admissibility of all such evidence shall be determined as if this Act had not been passed.

C A P . X .

An Act to regulate the time of payment of Bills and Promissory Notes, which may fall due on legal holidays.

[Assented to 18th December, 1854.]

Preamble.

12 Vict. c. 22.

WHEREAS it is expedient to provide for the regulation of Bills of Exchange and Promissory Notes which may fall due on Sundays, legal Holidays, or any of the Holidays mentioned in the twenty-sixth section of an Act passed in the twelfth year of Her Majesty's Reign, chapter twenty-two, intituled, *An Act to amend the law regulating Inland Bills of Exchange, and Promissory Notes, and the protesting thereof, and Foreign Bills, in certain cases*, in Upper or 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

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, as follows :

I. Notwithstanding any law, or provision of law, statute, usage, or custom to the contrary, whenever the day which would otherwise be the last day of grace for the payment of any Bill of Exchange or Promissory Note, shall fall on a Sunday, legal Holiday, or any of the days mentioned in the Act cited in the Preamble to this Act, as being a Holiday at the place where the same is payable in Upper or Lower Canada respectively, such Bill or Note shall be payable and the days of grace shall expire, on the day next thereafter which shall not be a Sunday or Holiday as above mentioned, and not before.

When the last day of grace falls on a Holiday or Sunday; Note to be payable the day after.

II. This Act shall come into effect on the first day of March next after the passing thereof, and not before.

Commencement of Act.

C A P . X I .

An Act to regulate the Inspection of Pot and Pearl Ashes.

[Assented to 18th December, 1854.]

WHEREAS it is expedient to repeal the Act of the Parliament of the Province of Canada hereinafter mentioned, and to make better provision for the Inspection of Pot and Pearl Ashes : 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, as follows :

Preamble:

I. Upon from and after the day on which this Act shall come into force, the Act of the Parliament of the Province of Canada, passed in the sixth year of Her Majesty's Reign, and intituled, *An Act to regulate the Inspection of Pot and Pearl Ashes*, shall be and the same is hereby repealed : Provided always, that nothing herein contained shall revive any Act or law repealed or suspended by the Act above cited, but such Acts and laws and all other Acts or Ordinances or laws in force in either section of the Province, when this Act shall come into operation, relating to the inspection, storing and branding of Pot and Pearl Ashes, and the appointment and compensation of Inspectors, shall be and the same are hereby repealed.

Act 6 V. c. 6, repealed.

Proviso : repealed Acts not revived.

II. From and after the period when this Act shall come into force and effect, no Pot or Pearl Ashes shall be inspected in barrels in barrels

Description of barrels in

barrels