

£5,000 appropriated yearly for Superior Education in U. C. To be distributed by Parliament.

Lower Canada out of the general Funds of the Province: Be it enacted, That the sum of five thousand pounds currency, shall be yearly appropriated out of the Consolidated Revenue Fund of this Province, for the encouragement of superior Education in Upper Canada, and be distributed among the several collegiate Educational Institutions in Upper Canada, or such of them as the Legislature shall designate by an annual vote of the Provincial Parliament.

Report of things done under this Act.

XIX. The Superintendent of Schools for Lower Canada, shall in his yearly Report to the Legislature, state what he may have done under this Act during the period to which such Report may relate.

Accounting clause.

XX. The due application of all moneys expended under the authority of this Act shall be accounted to Her Majesty in the manner and form provided by the Interpretation Act, and an account thereof shall be laid before each of the Houses of the Provincial Legislature, within the first fifteen days after the opening of the then next Session thereof.

Interpretation.

XXI The words "Teacher" and "Student," in the foregoing provisions, shall include persons of either sex.

## C A P . L V .

### The Lower Canada Judicature Amendment Act of 1856.

[Assented to 19th June, 1856.]

Preamble.

12 V. c. 38.

WHEREAS it is expedient further to amend the Act of the Legislature of the Province of Canada passed in the twelfth year of Her Majesty's Reign, intituled, *An Act to amend the Laws relative to the Courts of Original Civil Jurisdiction in Lower Canada*, and the several Acts amending the same: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Judgments may be read by the Clerk in case of illness, &c., of the Judge.

Their effect.

I. Whenever a Judge of the Superior or Circuit Court of Lower Canada is unable, from sickness or other cause, personally to render any Judgment taken by him *en délibéré* in the said Circuit Court, he shall transmit such Judgment to the Clerk of the Circuit Court of the Circuit in which the case is pending, and the said Clerk shall, on receipt thereof, record the said Judgment, and shall on the next day of term read the same in open Court; and every such Judgment shall have the same force as if pronounced in open Court by the Judge himself on the day on which it shall have been read.

Certain powers under 16

II. All the authority given by the fifteenth section of the Act of the Legislature of Canada, passed in the sixteenth year of Her

Her Majesty's Reign, intituled, *An Act to amend the Act to amend the Laws relative to the Courts of Original Civil Jurisdiction in Lower Canada*, to the Judge of the Superior Court resident in any District in Lower Canada, except the Districts of Quebec and Montreal, to hear and give Judgment in any case out of Term, is hereby extended to every Judge of the Circuit Court while exercising, in the District of Kamouraska or Ottawa, the powers of a Judge of the Superior Court under the fourteenth section of the same Act.

V. c. 194, s. 15. extended to Judges of the Circuit Court sitting in Ottawa or Kamouraska.

III. Whenever the Judge residing in any District other than the Districts of Quebec and Montreal, is absent from the place where the Superior Court is held, or unable from illness to perform his duties, the President of the General or Quarter Sessions of the Peace, or if there be no such officer in the District, the Prothonotary of the Superior Court, shall perform all the duties which the Resident Judge can by law perform out of Term.

How duties of Resident Judge may be performed in his absence, &c.

IV. Notwithstanding any thing contained in the seventeenth section of the said *Act to amend the Laws relative to the Courts of Original Civil Jurisdiction in Lower Canada*, or in any Act amending the same, it shall be lawful for the Governor, by and with the advice of the Executive Council, by any proclamation or proclamations to be issued under the authority of the said section, to alter the number of Terms of the Circuit Court at any place, the times when such Terms are held, and the number of days included in the Terms.

Governor may alter number of Terms, &c. of Circuit Court at any place.

V. So soon as it shall have been shown to the satisfaction of the Governor in Council, that suitable accommodation has been provided for the holding of the Circuit Court within any of the limits hereinafter mentioned, it shall be lawful for the Governor, by Proclamation, to declare that any such limits shall on, from and after a day to be mentioned therein, constitute a Circuit, and by such Proclamation to fix the times and days at and on which the terms of the Circuit Court in such Circuit shall be held, and the number of days to be included in such terms.

Governor may direct Circuit Court to be held at certain places when Court House, &c., is provided.

VI. The said Circuits so soon as they shall be respectively established, as hereinbefore provided, shall be holden at the places hereinafter appointed, and the local extent and limits of the said Circuits shall be as follows, that is to say :

The said places to be as follows :

1. At Portage du Fort, in the County of Pontiac ; the Circuit to be called the " Pontiac Circuit," which shall comprise the whole of the County of Pontiac ;

Portage du Fort.

2. At Thurso, in the Township of Lochaber, in the County of Ottawa ; the Circuit to be called the " Lochaber Circuit," which shall comprise all that part of the said County of Ottawa, which

Thurso.

which lies to the east of the Lelievre River, together with the Townships of Bigelow and Bowman, and all those parts of the Townships of Portland and Buckingham which lie on the west side of the said Lelievre River;

Lashute.

3. At Lachûte, in the County of Argenteuil; the Circuit to be called the "Argenteuil Circuit," which shall comprise the whole of the County of Argenteuil;

Côteau Land-  
ing.

4. At the Village of Coteau-Landing, in the County of Soulanges; the Circuit to be called the "Soulanges Circuit," which shall comprise the whole of the said County of Soulanges;

Huntingdon.

5. At the Village of Huntingdon, in the County of Huntingdon; the Circuit to be called the "Huntingdon Circuit," which shall comprise the County of Huntingdon, and Russelltown in the County of Chateauguay;

County of  
Montcalm.

6. At the *chef-lieu* or County Town of the County of Montcalm; the Circuit to be called the "Montcalm Circuit," which shall comprise the whole of the said County of Montcalm;

Industry  
Village.

7. At the Village of Industry, in the County of Joliette; the Circuit to be called the "Joliette Circuit," which shall comprise the whole of the said County of Joliette, and all that part of the parish of St. Felix de Valois which is situated in the Township of Brandon, in the County of Berthier;

Drummond-  
ville.

8. At the Village of Drummondville, in the County of Drummond; the Circuit to be called the "Drummond Circuit," which shall comprise the Townships of Wickham, Grantham, Simpson, Wendover, and the first seven Ranges of the Township of Upton, in the said County of Drummond.

Changes made  
by Act or  
Proclamation  
not to affect  
pending suits.

VII. No change made by this Act or by any Proclamation issued under the authority thereof, in the limits of any Circuit established by any of the Acts hereinbefore mentioned, shall affect any action, suit or proceeding commenced in any such Circuit before the day mentioned in such Proclamation, on, from and after which any new Circuit shall be established; but the same and all proceedings and matters incident thereto, whether before or after execution, shall be continued and dealt with as if the limits of the Circuit in which such action, suit or proceeding was commenced, had not been changed or affected by this Act or by such Proclamation issued under the authority thereof.

Governor to  
appoint Clerks  
of Courts.

VIII. It shall be lawful for the Governor to name a Clerk for each of the said Circuits so soon as the Proclamation establishing the same shall have issued, and to appoint as such Clerk the person holding the office of Circuit Clerk of any adjoining Circuit;

Circuit; and any such Circuit Clerk so appointed for two Circuits may appoint a Deputy for each of the said Circuits.

IX. Notwithstanding any thing contained in the said *Act to amend the Laws relative to the Courts of Original Civil Jurisdiction in Lower Canada*, the total number of Circuit Judges may be ten, instead of nine, as in and by the said *Act* provided; and it shall be lawful for the Governor at any time after the passing of this *Act*, to appoint an additional Judge of the Circuit Court, who shall have and exercise all the powers in and by the said *Act*, and those amending the same, conferred upon the Judges of the said Circuit Court.

Additional Circuit Judge may be appointed in L. C., notwithstanding 12 V. c. 38.

X. Notwithstanding any thing contained in the *Act* of the Legislature of this Province passed in the eighteenth year of Her Majesty's Reign, intituled, *An Act to amend the Judicature Acts of Lower Canada*, any Judge of the Circuit Court in any Circuit where there is no Resident Judge, may, either in Term or in Vacation, upon the application of the Plaintiff, Incidental Plaintiff, Opposant or Intervening Party in any appealable case, order that the evidence in such case be taken in accordance with the laws in force immediately before the passing of the said *Act*, which said laws are for such purposes hereby revived in so far as they may have been repealed or amended by the said *Act*.

How evidence in appealable cases where there is no Resident Circuit Judge may be taken. 18 V. c. 104.

XI. The eleventh Section of the *Act* passed in the eighteenth year of Her Majesty's Reign, intituled, *An Act to increase the number of sittings of the Courts of Justice within the District of St. Francis, and to make a more convenient arrangement thereof*, is hereby repealed.

Section 11 of 18 V. c. 166, repealed.

XII. This *Act* shall be called and known as "The Lower Canada Judicature Amendment Act of 1856."

Short title of Act.

## C A P . L V I .

An Act to facilitate the Examination of Candidates for admission to the Notarial Profession in Lower Canada.

[Assented to 19th June, 1856.]

**W**HEREAS great inconvenience and useless expense are occasioned to candidates for admission to practise as Notaries in Lower Canada, from the fact of their Articles of Clerkship frequently expiring a few days only after the meeting of the Board of Notaries of their District, thereby obliging them to wait for a period of three or four months after the expiration of their term of service in order to present themselves for examination, and also from the fact that many students have neglected to enregister the transfers of their Articles within the period required by Law: Therefore, Her Majesty, by and with

Preamble.