

Laws of Her Majesty's Province of United Canada, passed in the year 1851. York: Stewart Derbyshire and George Desbarts, 1851.

14 & 15 Victoria – Chapter 17

An Act to amend the Act substituting Salaries for Fees, in certain cases, in Lower Canada. 2d August, 1851.

Whereas it is expedient to amend the Act passed in the Session held in the thirteenth and fourteenth years of Her Majesty's Reign, and intituled, *An Act to assign fixed Annual Salaries to certain Officers of Justice in Lower Canada, and to form a special fund out of the salaries, fees, emoluments and pecuniary profits attached to their offices*, so as to form one fund out of the emoluments of certain offices when held by the same person: 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 whenever the office of Prothonotary or Clerk of the Superior Court and that of Clerk of the Circuit Court, shall at Quebec, Montreal, Three-Rivers [Trois-Rivières] or Sherbrooke, be held by the same person or persons, then the salaries, fees, emoluments and pecuniary profits of the said two offices, while so held, shall form one fund, out of which all salaries, allowances and expenses which, without this Act, would be payable out of the fund formed by the salaries, fees, emoluments and pecuniary profits of either of the said offices, may be paid in the manner and subject to the provisions of the Act cited in the Preamble to this Act.

II. And be it enacted, That the foregoing enactment shall have a retroactive effect as if passed on the tenth day of September, one thousand eight hundred and fifty, and the Act cited in the Preamble shall accordingly be construed as if the provision herein contained had been inserted therein.

III. And be it enacted, That the Governor in Council shall have full power and authority to grant and allow to the Prothonotary, Clerk, Registrar, Sheriff or Officer authorized to collect and receive the duty or tax imposed by another Act passed in the twelfth year of Her Majesty's Reign, and intituled, *An Act to make provision for the erection or repair of Court Houses and Gaols at certain places in Lower Canada*, or imposed or hereafter to be imposed by any Order or Orders in Council under the authority of the said Act, upon the proceedings, matters and things in and by the said Act declared to be liable to such duty or tax, such sum for collecting and receiving the said duty or tax as to the Governor in Council shall seem just and reasonable, provided such allowance do not exceed the rate of two and a half per centum on the amount of such duty or tax so already collected and received, or to be hereafter collected and received as aforesaid.