

Laws of Her Majesty's Province of United Canada, passed in the year 1851. Quebec: Stewart Derbyshire and George Desbarts, 1852.

16 Victoria – Chapter 30

An Act to detach, for judicial purposes, the settlements of Sainte Anne-des-Monts and Cap-Chat from the District of Gaspé, and annex the same to the District of Kamouraska. 10th November, 1852.

Whereas by reason of the great distance of the settlements of Ste. Anne-des-Monts and Cap-Chat, included in and making part of the County and District of Gaspé, from the places in the said County and District whereat the Courts of Justice sit, and the want of a road of communication between those places, it is expedient, in conformity with the petition and prayer of the inhabitants of the aforesaid settlements, to detach the same from the aforesaid County and District of Gaspé, and for judicial purposes to place them under the jurisdiction of the nearest Courts, that is to say, the Superior Court, in the District of Kamouraska, and the Circuit Court, in the County of Rimouski: 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 first day of January, one thousand eight hundred and fifty-three, the aforesaid settlements of Sainte Anne-des-Monts and Cap-Chat, hitherto included in and making part of the County and District of Gaspé, shall be and the same are hereby detached and withdrawn from the jurisdiction of the Courts in and for the County and District of Gaspé, and transferred and made subject to the respective jurisdictions of the Superior Court by law established in the aforesaid District of Kamouraska, and to the Circuit Court in the said County of Rimouski, according to the respective competencies of the said Courts; and that the said settlements shall, for judicial purposes, hereafter form part of the said District of Kamouraska in and over which settlements the said Superior and Circuit Courts shall respectively, after the said first day of January next, have jurisdiction in as full and ample a manner in all respects as by law they have and may exercise within their respective jurisdictions, at the time of the passing hereof.

II. And be it enacted, That, all proceedings at law, civil and criminal, and all enregestrations or formalities thereunto appertaining, begun, existing and remaining to be done in the District of Gaspé, at the date above mentioned in any wise relative to the said settlements of Sainte Anne-des-Monts and Cap-Chat, or any land or lands therein, or to any inhabitant or inhabitants thereof, may lawfully be thereafter continued, proceeded upon, adjudicated, executed, perfected and certified, (with the same effect as if this Act had not been passed,) and that all Justices of the Peace for the said District of Gaspé, residing in the said settlements, shall respectively continue in office by virtue of this Act, in the same manner as if they had been appointed from the date aforesaid for the District of Kamouraska, as well as for the District of Gaspé.

III. Provided always, and be it enacted, That nothing in this Act contained shall be construed to interfere with the elective franchises of the freeholders of the said settlements of Sainte Anne-des-Monts and Cap-Chat, entitled to vote for the election of a Member to represent the County of Gaspé in the Legislative Assembly of the Province, when and as often as the case may occur; the said settlements, notwithstanding any thing in this Act contained, remaining, for electoral and Legislative purposes, as heretofore, parts of the County of Gaspé.

IV. Provided always, And be it enacted, That nothing herein contained shall be construed to repeal an Act passed in the twelfth year of Her Majesty's Reign, intituled, *An Act detaching the settlements of Sainte Anne-des-Monts and Cap-Chat from the Municipality of Gaspé, and to erect the same into a separate Municipality*, nor to annul or alter any of the enactments or provisions thereof.

V. And be it enacted, That this Act shall be deemed a Public Act, and as such be judicially noticed by all Judges, Justices and others whom it may concern without being specially pleaded.

VI. And be it enacted, That this Act may be repealed, altered or amended during the present Session of Parliament.