

Justices to make orders regulating the justifying of Bail before Commrs.

XLI. *And be it further enacted by the authority aforesaid,* That the Justices respectively shall make such rules and orders for the justifying of such bails and making of the same absolute as to them shall seem meet, so as the Cognizor or Cognizors of such bail or bails be not compelled to appear in person in the said Court to justify him or themselves, but the same may and is hereby directed to be determined by Affidavit or Affidavits duly taken before the said Commissioners who are hereby empowered and required to take the same and also to be examined by the Justices upon oath touching the value of their respective estates.

Judges of Assize may take Bail.

XLII. *And be it further enacted by the authority aforesaid,* That any Judge of Assize in his Circuit shall and may take and receive all and every such recognizance or recognizances of bail or bails as any person shall be willing and desirous to make and acknowledge before him which being transmitted in like manner as aforesaid shall without oath be received in manner as aforesaid.

Ordinances of Quebec repealed.

XLIII. *And be it further enacted by the authority aforesaid,* That the several Acts and Ordinances of the Governor and Council of the late Province of Quebec whereby the several Courts of Common Pleas in this Province were constituted and from time to time continued, be, and each and every of them are hereby repealed.

No Attorney to trade as a Shop Keeper.

XLIV. *And be it further enacted by the authority aforesaid,* That after twelve months from the passing of this Act no Attorney of this Court being a Merchant or in any wise concerned by Partnership public or private in the purchasing and vending of Merchandize in the way of Trade as a Merchant shall be permitted to practise in the said Court during the time he may be such Merchant or so engaged as aforesaid, nor until twelve months after he shall have ceased to be such Merchant or so engaged as aforesaid.

Judges to establish fees to be taken by all Officers of the Court.

XLV. *And be it further enacted by the authority aforesaid,* That from and after the first day of Easter Term next, it shall and may be lawful to and for the said Court of King's Bench and they are hereby required by order or rule, or order or rules to be pronounced by the said Court during the said Term of Easter or during any subsequent Term or Terms from time to time to ascertain, determine, declare and adjudge all and singular the fees which shall and may be taken, or be allowed to be taken by any Clerk of the Crown, Counsel, Attorney, Sheriff, Officer or other person from or in respect of any business after the first day of Easter Term to be done or transacted in the Court of King's Bench, as well in civil causes as in criminal prosecutions as in all matters and things, causes and proceedings which thereafter shall or may be depending in the said Court which regards the King's Revenue or under any Commission of Oyer and Terminer and General Goal Delivery or under any Special Commission of Oyer and Terminer, any former Law to the contrary notwithstanding.

No Commissioners or proceedings to be hereafter avoided.

XLVI. *And be it further enacted by the authority aforesaid,* That nothing in this Act contained shall extend to annul any existing Commission or authority of any Officer or Commissioner heretofore appointed to any Office which may require to be continued by the provisions of this Act or to make void any proceedings now depending in the said Court of King's Bench but that the said office shall be conducted, and the said proceedings be continued and carried on according to the several provisions herein contained.