
Bill to secure the Independance of
the Judges in this Province
and for other purposes therein
mentioned.

MOST GRACIOUS SOVEREIGN;

Preamble.

WHEREAS to secure in a more certain manner to your Majesty's Subjects in this Province an upright and impartial administration of Justice it is, necessary to render the Judges of the Court of King's Bench in this Province and the Judges of the Provincial Courts more independent than they have hitherto been, and whereas this matter was specially submitted to the consideration of the Legislature of this Province by message from His Excellency the Governor in Chief, on the first day of February in the present year; may it therefore please Your Majesty that it may be enacted: And be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of *Lower-Canada*, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of *Great Britain*, intituled, *An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America,' and for making further provision for the Government of the said Province*: And it is hereby enacted by the authority aforesaid, that from and after the passing of this Act it shall no longer be lawful for any of the Judges of the several Courts of King's Bench in this Province, nor for any of the Judges of the Provincial Courts therein, to have or to occupy a Seat in the Executive Council nor in the Legislative Council of this Province, and that such of the said Judges as may now have and occupy a Seat in either of the said Councils, shall be and they are hereby declared to be incapable, while they retain their Commission as Judges, of sitting the future.

Judges of the Courts of King's Bench or Provincial Courts not to be in future Members of the Legislative or Executive Councils.

Judges to hold their Office during good behaviour.

II. And be it further enacted by the authority aforesaid, that from and after the passing of this Act, the Judges of the Courts of King's Bench in this Province and the Provincial Judges, shall hold and possess their Office during their good behaviour, and in the same manner in which those Offices are held and possessed in England.