

JUDICATURE.

118. For the establishment of a better Court of Appeals in Lower Canada, 7 Vict. c. 18, 9th Dec. 1843.
119. So much of Act L. C. 34 G. 3. c. 6, as relates to the establishment of a Court of Appeals in L. C., repealed and the Court abolished, s 1.
120. New Court to consist of all the Justices of the several Courts of Q. B., in L. C., s 2.
121. Said Court to have appellate jurisdiction, to try and determine all matters and charges that may be appealed or removed by writ of Error from all Courts, s 3.
122. New Court to have all powers of the old, not inconsistent with provisions of this Act, s 4.
123. Order of precedence among the Justices of the Court, s 5.
124. Three terms of the Court to be holden every year at times specified, s 6.
125. Four Justices to form a quorum, s 6.
126. Justices of the Court whence an Appeal is made not to sit in the Court of Appeals, s 7.
127. Proceedings concurred in by a majority of the Court to be binding, s 7.
128. Judgment appealed from confirmed, when the Court is equally divided, s 7.
129. Governor to appoint a Clerk of the Court, s 8.
130. The Clerk of the Court may appoint or remove a Deputy, s 8.
131. Deputy Clerk's residence and duties, s 8.
132. Clerk of the Court or his Deputy not to practice as an Attorney, &c. in Lower Canada, s 9.
133. Style of Writs and Process; and to be in the English and French Languages, s 10.
134. If the Court shall be without a quorum, Clerk shall give notice thereof to the Governor, s 11.
135. Governor to appoint a sufficient number of the the Members of the Bar, of eight years' standing, to be Justices *ad hoc*, to have all the powers, &c., of Judges of the said Court when acting as such, s 11.
136. Laws in force for government of former, to be applied to present Court, s 12.
137. Power of the Court with respect to Tariff of Fees and Rules of Practice, s 43.
138. Part of Act of L. C., 41 G. 3. c. 7, repealed, relating to rules of Practice, &c., after one year from commencement of this Act, s 14.
139. Final Judgments of the Court to contain a statement of Fact and of Law; the reasons for the Judgments and names of the Justices, s 15.
140. Provision for performance of the duties of the Justices while absent attending the Court of Appeals, s 16.
141. Appeals to Her Majesty's Privy Council shall lie from the Judgment of the Court of Appeals of L. C., as before the passing of this Act, s 17.
142. Records of the former Court of Appeals to be transmitted to, and form part of the Records, &c. of new Court, s 18.
143. All Judgments of former Court to be valid as if this Act had not passed, s 19.
144. Proceedings pending in former Court to be continued and determined in the new Court, s 19.
145. Provision for the return of Writs or Process issued out of the former Court, s 20.
146. All parts of Acts and Ordinances inconsistent with this Act, repealed, s 21.
147. Interpretation Clause, s 22.
148. Act to commence from and after the twenty-first day of April, 1844, s 23.
149. To provide for the Summary trial of Small Causes in Lower Canada, 7 Vict. c. 19. 9th Dec. 1843.
150. Proceedings for the establishment of Commissioners' Courts, s 1.
151. Bailiffs, Sergeants of Militia, Tavern-keepers, &c. not to be or act as Commissioners, s 1.
152. Circuit Judges in the Cities of Quebec and Montreal to be *ex-officio* Commissioners, s 2.
153. Powers of Commissioners' Courts, exceptions and limitations, s 3 & 4.
154. Minors may sue in said Courts for Wages for any sum not exceeding £6. 5s. currency, s 5.
155. Oral Testimony sufficient in all cases cognizable in said Courts, s 6.
156. Cases wherein Defendant may be sued, not residing where Courts is held, s 7.
157. Times, places and regulations for holding Courts, s 8, 9, 10.
158. Commissioners to issue Summons returnable in 3 days on application according to form annexed, s 11.
159. Delay allowed between service and return of Summons, s 11.
160. Proceedings in cases of recusation of Commissioners, s 12.
161. Cases when evocation and appeal are allowed, s 13.
162. Cases cognizable in Commissioners' Court taken into Court of higher jurisdiction, only subject to costs of Commissioners' Court, s 13.