

also, that nothing in this section shall prevent the operation of the eleventh section of the said Act, in any case to which it is applicable.

Assistant judge not to act as judge of Superior or Circuit Court, &c... how his place may be supplied.

3. The Assistant Judge, appointed under the next preceding section, shall not during the time for which he is so appointed, act as a Judge of the Superior Court, except only that he may, as such Judge, render judgment in cases heard by him in the Superior or Circuit Court before his appointment as assistant Judge of the Court of Queen's Bench; and during the time for which he is appointed such Assistant Judge, the Governor may, in his discretion, appoint a proper person to be an Assistant Judge of the Superior Court, in his stead, under section eleven of chapter seventy-eight of the Consolidated Statutes for Lower Canada.

Rendering judgment in appeal at a place other than that where the case was heard.

4. Notwithstanding any thing contained in the twenty-second section of the said Act, the Court of Queen's Bench may render judgment, either in term or in vacation, at Quebec, in any cause or upon any proceeding of any kind, although the same may have been heard at Montreal; and in like manner the said Court may render judgment, either in term or in vacation, at Montreal, in any cause or upon any proceeding of any kind, although the same may have been heard at Quebec; but it shall not be the duty of the said Court to exercise the power hereby given, unless the Judges by whom such judgment is to be given, in the exercise of their discretion, are of opinion that the failure by them to do so would tend to subject the parties interested to unreasonable delay; and in any case in which the Judges of the said Court deem it right to render any judgment in pursuance of the discretionary power hereby given to them, they shall cause at least six days' notice of the day on which such judgment will be rendered, to be given by the Clerk of the Court or his Deputy, to all the parties interested.

Where to be recorded.

5. If under the discretionary power given by the next preceding section, any judgment which would otherwise have been rendered at Quebec or at Montreal, is rendered at the other of the said Cities, such judgment shall nevertheless be entered and recorded at the place where, but for the exercise of such power, it would have been rendered, and the record in the cause shall be transmitted to and make part of the records of the said Court at such last mentioned place, as if all the proceedings in the cause had been had there.

Clerk of appeals or his deputy may tax costs, effect of revision by a judge.

6. The Clerk of appeals or his Deputy, shall have full power to tax costs in causes or proceedings in the Court of Queen's Bench on its appeal side; and such taxation shall be made in the same manner and subject to the same rules, and shall have the same effect, as if made by a Judge of the Court, except that it shall be subject to revision by a Judge of the Court, in