

SESSIONAL PAPER No. 18

Courts to sit
all the Year.

except Sun-
days, and
other times
of Vacation.

Without Re-
gard to
Terms, as
appointed by
the Ordinance of Sept-
ember 1764.
or any other
ordinances;
all which, as
far as they
relate to the
Sitting of the
Said Courts,
are repealed.

shall be constantly open to the Suitor, and they are hereby required to be kept open at all times throughout the Year, except on Sundays, and at Seed time, a Month at Harvest, and a Fortnight at Christmas and Easter, and except during such Vacation as shall be from Time to Time appointed by the Judges for making their respective Circuits throughout the Province, Twice in every Year : and the Judges of the said Courts are hereby authorized and required to issue their Process, and to do and execute all and every other Matter or Thing touching the Administration of Justice, without Regard to Terms or any stated Periods of Time, as Limited and appointed by the Ordinance of September, one thousand seven hundred and sixty-four, or any other Ordinance, custom or usage whatsoever, all and every of which Ordinance, or Ordinances, so far as they relate to the Sitting of the said Courts, or prescribe any Limitations of Time for that Purpose, are hereby annulled, revoked, and made Void, in as full and ample a manner as if they were herein particularly enumerated and set forth.

The Judges
to sit one day
in every week
at their Dis-
cretion for
matters
above £12;

Provided always, and it is further Ordained and Declared by the Authority aforesaid, That the Judges of the said Courts of Common Pleas, as well in Quebec as in Montreal, shall appoint One Day in every week (except Sunday, or in such Vacation as aforesaid) at their Discretion for the hearing and determining all matters wherein the Cause of Action shall exceed the Sum of Twelve Pounds, which Day shall be declared at the rising of the Court on the Court day next preceding; and no Adjournment of the Court shall be made for any longer time than One Week, upon any Pretence or Ground whatsoever.

and on every
Friday, ex-
cept in Vac-
ation for mat-
ters not ex-
ceeding £12.

Provided also, That Friday in every week, except it be in such Vacation as aforesaid, shall be always a Court Day, as well in the Town of Quebec as Montreal, for the hearing and determining all Matters wherein the Cause of Action shall not exceed the Sum of Twelve Pounds as aforesaid; on which Day one of the Judges of the said Courts of Common Pleas shall attend, as well at Quebec as at Montreal, for the Dispatch of Business, who is hereby authorized and required to proceed to hear and determine all matters where the Cause of Action shall not exceed the Sum of Twelve Pounds, in the Absence of the other Judge—such Judge being prevented from attending by Sickness, or any other Lawful and reasonable Cause of Excuse; and every Judgment, sentence, Order or Decree, given, made or pronounced, and every Writ of Execution awarded by such Judge, in Matters where the Cause of Action shall not exceed the Sum of Twelve Pounds as aforesaid, shall be in all Respects as binding and valid as if both the Judges of the said Court had been present and

One Judge
sufficient in
Matters not
exceeding
£12, the other
having a
reasonable
Cause of
Absence.