

When such writs may issued.

2. Any *saisie arrêt* may be issued at any time after judgment, and the service shall be made within the time fixed by this Act for the service of summonses in civil cases.

Court to proportion fine or punishment to gravity of offence.

34. In the case of prosecutions for offences within the purview of the said Recorder's Court, the said court may proportion the amount of the fine or the length of the imprisonment, within the limits fixed by law, to the gravity and frequency of the offence. 5

Recorder's Court to have powers of Courts of original civil jurisdiction in certain cases.

35. The said Recorder's Court and the Judge thereof shall in every civil action, proceeding or suit within the purview of the said court, have, possess and exercise in relation to actions or demands *en garantie*, incidental demands, or demands in intervention, exceptions, defences or *incidents* whatsoever during the suit, and also in relation to oppositions *afin de conserver*, or other oppositions in form of *requête civile*, or other matter or thing whatsoever connected with the execution of such judgment, all and every the powers and attributes which would be possessed and exercised by ordinary courts of original civil jurisdiction and the judges thereof in Lower Canada, if such action, proceeding or suit within the purview of the said Recorder's Court, had been instituted or brought before the said courts of ordinary civil jurisdiction. 10 15 20

Acts repealed

36. The Act passed in the twenty-fourth year of Her Majesty's Reign, chaptered twenty-six, with the exceptions of sections thirty-four, thirty-five, thirty-six, and thirty-seven, is hereby repealed. The Act passed in the twenty-seventh year of Her Majesty's Reign, chaptered twenty-one, and all other Acts or parts of Acts contrary to or incompatible with this Act, are also repealed; and the Acts repealed by the said Act shall be and remain repealed. 25

Appointments made, &c., under such acts to be valid.

2. But every appointment made, and matter, act or thing whatsoever done in virtue of the Acts hereby repealed, shall remain in full force and effect, in the same manner as if this Act had not been passed. 30

Summary jurisdiction for punishment of offences.

37. In all cases in which summary jurisdiction for the punishment of offences now is or hereafter shall be vested in the Recorder of the said City of Quebec by any law whatsoever, the clerk of the said Recorder's Court shall be the clerk of the said Recorder, and shall be bound as such to perform all the duties and fulfil all the obligations imposed by any law whatsoever on the Clerk of the Peace of the District of Quebec. The tariff of fees to be levied by the said clerk shall be that now in force or which may hereafter be in force in the office of the Clerk of the Peace of the said district. The said Clerk shall perform the like duties in all cases in which the said Recorder acts as a Justice of the Peace in accordance with law. 35 40

Her Majesty's rights saved.

38. This Act shall in no way affect the rights of Her Majesty, except in so far as they may be affected by this Act.

Public Act.

39. The Interpretation Act shall apply to this Act, and this Act shall be deemed a Public Act. 45

Explanation of words used.

2. The word "Mayor" in this Act shall signify the Mayor of the City of Quebec, or the person performing the duties of Mayor.