

ACTS OF LAST SESSION.

sion, as to the Governor may seem best, and on such days as the Chief Justices and Judges of the Superior Courts of Common Law shall respectively name."

4. The Court of Queen's Bench and Common Pleas at their discretion, may hold sittings in Banc in time of vacation, by virtue of a rule or order of the Court, respectively to be made in or out of term, for the hearing of such special cases or rules for new trials as shall be named in a list to be attached to any such rule or order—and for giving of judgments in cases previously argued, and for disposing of such other business as the Court in its discretion shall see fit; Provided that no such sittings in Banc shall be appointed for or holden on any day between the first day of July and the twenty-first day of August in any year.

5. Notice of such rules or orders shall be given by affixing the same in some conspicuous place on the outside of the Court making the same, and in the Judges' Chambers and Practice Court, in Osgoode Hall, and in the office of the Clerk of the Crown and Pleas, of the same Court, six clear days, excluding Sunday, or any other legal holiday, before the day appointed, and such notice may be to the following effect:

COURT OF QUEEN'S BENCH OR COMMON PLEAS.

This Court will on the——day of——hold sittings, and will proceed on that and the following days, in hearing and disposing of the cases mentioned in the subjoined list, and in giving judgment in cases previously argued, and in disposing of any other business as the Court shall in its discretion see fit. (*List to be subjoined.*)

(Signed) _____

Clerk of the Crown and Pleas.

6. The twentieth section of chapter ten of the Consolidated Statutes for Upper Canada is hereby repealed.

7. All judgments to be pronounced, and all rules and orders to be made by virtue of this act, shall have the same effect, to all intents and purposes, as if they had been pronounced in term time.

8. This act shall come into operation upon the last day of Michaelmas Term next, and not before.

An Act to complete the separation of the County of Peel from the County of York.

[Assented to 15th August, 1866.]

Whereas the Provincial Municipal Council of the County of Peel have petitioned for the passing of an act to enable the Governor in Council to set apart the said County of Peel from the County of York whenever it may be deemed expedient to do so: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. Notwithstanding anything contained in the fifty-first section of the chapter fifty-four of the Consolidated Statutes for Upper Canada, intituled: *An Act respecting the Municipal Institutions of Upper Canada*, it shall be lawful for the Governor in Council to issue his proclamation declaring that the separation of the County of Peel from the County of York shall take effect from a day to be named in the said proclamation, and such separation shall take place accordingly from such day, and have the same effect on and after such day, to all intents and purposes whatever, as if such proclamation had been issued and such separation had taken effect according to the terms of the said fifty-first section.

2. From and after the day on which such separation shall take place no local action shall be brought in either the said County of Peel, or the said County of York, except where the cause of action shall have arisen in that County of the said Counties in which the action is brought; provided always that a suggestion may be entered on the record to change the place of trial of such local action in the same manner as may now be done by law, and the practice of the Superior Courts of Common Law.

3. This act shall be deemed a public act.

CAP. XXXIX.

An Act respecting the hearing of causes in the Court of Chancery of Upper Canada.

[Assented to 15th August, 1866.]

Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. Any sitting of the Court of Chancery for Upper Canada for the hearing of causes may be held by any one of Her Majesty's Counsel learned in the law, of the Upper Canada Bar, upon such Counsel being requested by the Chancellor or one of the Vice-Chancellors to attend for the purpose; and such Counsel, while holding such sittings, shall possess, exercise and enjoy all the powers and authorities of a judge of the said court.

2. The counsel may give his decision either during the sittings or afterwards, and in case any party is dissatisfied with the decision of such counsel, he shall be entitled to have the same reviewed by the said court in the same manner and within the same time as in the case of a decision by a judge of the said court; and the order made thereupon by the court shall be appealable to the Court of Error and Appeal in the same manner as other decrees and orders of the said Court of Chancery.

3. The said court shall have the power from time to time to make general orders for regulating the practice under this act, and to suspend, repeal, vary or revive such orders as to the said court may seem fit.