

1852-3.]

**BILL.**

[No. 411.]

An Act to amend the Act, intituled, “ *An Act to define the mode of proceeding before the Courts of Justice in Lower Canada, in matters relating to the protection and regulation of Corporate Rights and to Writs of Prerogative, and for other purposes therein mentioned.*”

**W**HEREAS by the 20th Section of the Act 12 Vic., cap. 41, Preamble, intituled, “ *An Act to define the mode of proceeding before the Courts of Justice in Lower Canada, in matters relating to the protection and regulation of Corporate Rights and to Writs of Prerogative, and for other purposes therein mentioned,*” it is enacted that an Appeal shall lie to the Court of Queen’s Bench sitting in Appeal from all final judgments rendered by the Superior Court in all cases provided for by the said Act, except in cases of *certiorari* ; And whereas doubts have arisen whether such right of Appeal extends also to any final judgment rendered by any two or more Judges of the Superior Court in vacation in the cases provided for by the said Act, and whereas there are equally valid reasons and motives for granting such right of Appeal against any such final judgment so rendered either by the said Superior Court or by any two or more of the Judges of the said Court in vacation in the cases aforesaid ; Be it therefore declared and enacted, &c.,

That the right of Appeal so given by the said 20th Section of the cited Act in the Preamble, extends and shall be construed to extend to any final judgment rendered in the cases provided for by the said Act, whether such final judgment shall have been rendered by the Superior Court or by any two or more Judges thereof in vacation.

II. That any such right of Appeal shall extend and be considered to extend to any final judgment heretofore rendered either by the said Court or by two or more Judges of the said Court in vacation, provided such Appeal be brought within the delay prescribed by the law now in force in this Province.

III. That in all cases in which a Writ of *certiorari* shall have been or shall be issued, and a regular return thereof shall have been