

No. 7.

CERTIFICATE of the OATHS taken by Mr. J. BEDARD.

No. 8.

COMMISSION appointing the Honorable D. MONDELET a JUDGE, *ad hoc*, in a certain case.

PROVINCE OF CANADA.

His Excellency Lieutenant General the Right Honourable CHARLES MURRAY EARL CATHCART, of Cathcart, in the County of Renfrew, K.C.B., Governor General of British North America, and Captain General and Governor in Chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, and Commander of Her Majesty's Forces in British North America.

To the Honourable DOMINIQUE MONDELET, Resident Judge for the District of Three Rivers,

GREETING:

WHEREAS in and by an Act of the Parliament of the Province of Canada, made and passed in the seventh year of Her Majesty's Reign, chapter sixteen, and intituled, "An Act to repeal certain Acts therein mentioned, and to make better provision for the Administration of Justice in Lower Canada," it is among other things enacted, that whenever the four Justices of the Court of Queen's Bench for the District of Quebec or of Montreal, shall be equally divided in any cause or matter, so that no judgment can be given therein, it shall be the duty of the Clerk or Prothonotary of the Court, when thereunto duly required in writing by any of the parties, to report the fact under his hand and the seal of the Court to the Governor of the said Province; and it shall be lawful for the said Governor of the said Province, by an instrument under his hand and seal, to appoint and empower any one of the Justices of any other of the said Courts of Queen's Bench or any Circuit Judge, to sit *ad hoc* with the Justices of the said Court so equally divided, for the purposes of hearing and determining the cause or matter in which they shall be so divided; and the Justice so appointed *ad hoc*, when acting as such, shall have, during the continuance of his appointment aforesaid, and with regard to such cause or matter as aforesaid only, the same powers and authority as any other Justice of the said Court of Queen's Bench, as in and by the said Act, reference being thereunto had, may more fully appear.

AND WHEREAS, it hath been duly certified unto me by the Prothonotary of the Court of Queen's Bench in and for the District of Montreal, that in a certain cause now pending before the said Court, wherein the Honorable James Cuthbert is the Plaintiff and Antoine Tellier is the Defendant, the four Justices of the said Court are equally divided, so that no judgment can be given therein.

NOW KNOW YOU, that in virtue of the authority conferred upon me in and by the said Act, I have appointed and empowered, and by this instrument under my hand and seal do appoint and empower you, the said DOMINIQUE MONDELET, to sit *ad hoc* with the said Justices of the said Court so as aforesaid equally divided, for the purpose of hearing and determining the said cause so pending in the said Court of Queen's Bench for the District of Montreal as aforesaid. To have and to hold unto you, the said DOMINIQUE MONDELET, during the continuance of your said appointment and with regard to the said cause, the same powers and authorities as any other Justice of the said Court of Queen's Bench during pleasure, subject in all things to the provisions, enactments, and requirements in the above-mentioned and in part recited Act contained.

GIVEN under my hand and Seal at Arms, at Montreal, in our said Province, this twenty-sixth day of May, in the year of our Lord one thousand eight hundred and forty-six, and in the ninth year of Her Majesty's Reign.

CATHCART.

By Command,

D. DALY,
Secretary.

PROVINCIAL REGISTRAR'S OFFICE,
Montreal, 12th August. 1848.

I do hereby certify the foregoing, to be a true and faithful copy of the Record of the original Commission, with which it has been carefully examined by me.

R. A. TUCKER,
Registrar.

No. 9.

INSTRUMENT bearing date at Montreal, the 7th day of May 1834, appointing the Honorable JEAN ROCH ROLLAND, a JUDGE, *ad hoc*, in the case of MERCIER vs. BLANCHET, pending at QUEBEC. Same terms as in No. 8.