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1st Session, 4th Parliament, 16 Victoria, 1852.

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## **BILL.**

An Act to extend to Upper Canada the provisions of the two Acts therein mentioned for facilitating the performance of certain duties of Justices of the Peace out of Session.

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Received and read a first time, Monday, 11th  
October, 1852.

Second reading, Tuesday, 12th October, 1852.

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**MR. SMITH,**  
(Durham.)

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QUEBEC:

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( 161 )

BILL.

An Act to extend to Upper Canada the provisions of the two Acts therein mentioned for facilitating the performance of certain duties of Justices of the Peace out of Session.

**W**HEREAS it is expedient to extend to Upper Canada, the provisions of the Acts hereinafter mentioned, with the exceptions and subject to the alterations hereinafter made; Be it therefore enacted, &c., Preamble.

5 That the thirty-fourth Section of the Act passed in the Session held in the fourteenth and fifteenth years of Her Majesty's Reign, and intituled, "*An Act to facilitate the performance of the duties of Justices of the Peace, out of Sessions, with respect to summary convictions and orders,*" and the twenty-third Section of the Act passed in the same The Acts 14 and 15 Vic. cap. 96 and 96 extended to Upper Canada exceptions and alterations.  
10 Session and intituled, "*An Act to facilitate the performance of the duties of Justices of the Peace out of Sessions, with respect to persons charged with indictable offences,*" shall be and the said Sections are hereby repealed, and the said Acts (including the forms given in the Schedules thereto) shall extend and apply to Upper Canada as fully as to Lower  
15 Canada, except as hereinafter excepted; that is to say:

The twenty-sixth, twenty-seventh, and thirty-second Sections of the Act first cited shall not apply to Upper Canada:

20 So much of the eighteenth Section of the Act secondly cited, as provides for the ascertaining or payment of the costs payable to any constable or other person for conveying any prisoner to gaol, and the Schedule applicable thereto, shall not apply to Upper Canada:

25 The provision in either of the said Acts limiting the time from and after which it shall be in force, shall not apply to Upper Canada, but so much of the said Acts as is hereby made applicable to Upper Canada, shall come into force therein at the time appointed for the commencement of this Act, and not before.

30 In reading the said Acts and the Schedules thereto annexed, as applicable to Upper Canada, the words "Upper Canada" shall be substituted for the words "Lower Canada," except in the fourth Section of the Act firstly cited, where the words "Upper or Lower Canada" shall remain unchanged; the words "County, Union of Counties or United Counties, City, Town or Township," shall be substituted for the word "District," and the plurals of the said words for the word, "Districts;" after the words "Court of Queen's Bench," wherever they occur, the words "or  
35 Court of Common Pleas" shall be added; the words "or other proper Officer" shall be added after the words "Clerk of the Court" in Section fourteen of the Act secondly cited, and such further changes shall be made in the forms given in the Schedules to the said Act as shall be necessary to make the said forms consistent with the laws, territorial  
40 divisions and institutions of Upper Canada.

II. And be it enacted, That this Act shall have force and effect upon from and after the first day of January, 1853, and not before.

Commencement of this Act.