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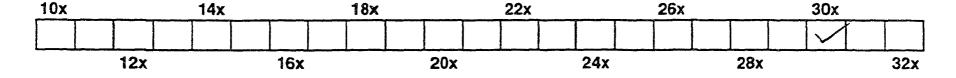
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4th Session, 3rd Parliament, 14 & 15 Vict., 1851.

## BILL.

An Act to amend the Heir and Devisee Act.

Received and read a first time, Monday, 23rd June, 1851.

Second reading, Friday, 27th June, 1851.

Mr. Sol. Gen. MACDONALD.

## BILL.

An Act to amend the Heir and Devisee Act.

WHEREAS by the second section of the Act of the Preamble.

Parliament of this Province Translation of the Preamble. Parliament of this Province, passed in the eighth year of Her Majesty's Reign, chaptered 8, and intituled, "An Act to repeal certain Acts therein mentioned, and to 8 Vict. c. 8. 5 " make better provision for the relief of parties claiming " lands in Upper Canada for which no patent hath issued, as " representing the original Nominees of the Crown," it is enacted that it shall be lawful for the Governor of this Province, from time to time to issue such and so many commis-10 sions, under the great seal of this Province, to the Chief Justice of Her Majesty's Court of Queen's Bench for Upper Canada, the Vice-Chancellor of Upper Canada and the Puisné Justices of the said Court of Queen's Bench, and to such and so many other per-15 sons as he shall see fit; and such Commissioners, or any three of them, of whom the said Chief Justice, the said Vice-Chancellor or one of the said Puisné Justices shall be one, shall form a quorum and have full power and authority for all the purposes of the said Act; 20 and whereas, by a certain Act, passed in the twelfth year of Her Majesty's Reign, chaptered 63, and intituled, "An Act to make further provision for the Administration 12 Viet. c. 63. " of Justice by the establishment of an additional Superior " Court of Common Law, and also a Court of Error and 25 "Appeal in Upper Canada, and for other purposes," an additional Court of Common Law, called the "Court of Common Pleas," consisting of a Chief Justice and two Puisné Judges, has been constituted and established; and by a certain other Act, passed in the said twelfth year of 30 Her Majesty's Reign, chaptered 64, and intituled, "An 12 Vict. 0. 64. "Act for the more effectual Administration of Justice in "the Court of Chancery in the late Province of Upper "Canada," it is enacted that the said Court of Chancery shall be presided over by a Chief Judge, to be called the 35 Chancellor of Upper Canada, and two additional Judges, to be called Vice-Chancellors; and whereas it is expedient that the said second section of the first herein recited Act should be repealed, and power given to the Governor or person administering the Government to 40 issue Commissions under the said first recited Act, as well to the said Chief Justice and Puisné Justices of the Court of Common Pleas, and the said Chancellor and Vice-Chancellors, as to the said Chief Justice and Puisné Justices of the said Court of Queen's Bench:

45 Be it therefore enacted, &c.,

Part of Sect. S repealed: and other provisions substituted.

That that part of the second section of the Act herein 2, of 8 Vict. c. first above recited, which designates the persons to whom Commissions may be issued for all the purposes of that Act, be and the same is hereby repealed; and from and after the passing of this Act, it shall be lawful for the Governor or person administering the Government of this Province, from time to time, to issue such and so many Commissions, under the great seal of this Province, to the Chief Justice of Her Majesty's Court of Queen's Bench for Upper Canada, the Chancellor of Upper Canada, the 10 Chief Justice of the said Court of Common Pleas, the Puisné Justices of the said Court of Queen's Bench and Common Pleas, and the Vice-Chancellors, and to such and so many other persons as he shall think fit; and such Commissioners, or any three of them, of whom the said 15 Chief Justice of the Court of Queen's Bench, the Chancellor for Upper Canada, the Chief Justice of the said Court of Common Pleas, or one of the said Puisné Justices of the said Court of Queen's Bench or Common Pleas, or one of the said Vice-Chancellors shall be one, 20 (such three Commissioners to be a quorum for all the purposes of that Act,) shall have full power and authority. in the manner and for all the purposes mentioned in the said Act.