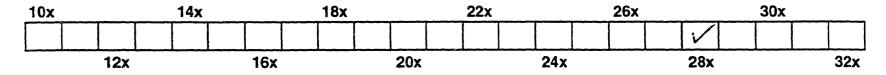
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No. 62.

2nd Session, 6th Parliament, 22 Victoria, 1859. -----

BILL.

An Act to facilitate the constituting of Sections of the Bar, and the establishment of Boards of Notaries, in the new Judicial Districts in Lower Canada.

Received and read, first time, Tuesday, 22nd February, 1859.

Second reading, Tuesday, 1st March, 1859.

HON. MR. ATTY. GENL. CARTIER.

S. Derbishire & G. Desbarats, Queen's Printer.

No. 62.]

[1859.

An Act to facilitate the constituting of Sections of the Bar, and the establishment of Boards of Notaries, in the new Judicial Districts in Lower Canada.

V/HEREAS it has become necessary to extend the pro-Preamble. visions of "The Lower Canada Judicature Act of 20 V.c. 44, 1857," for the constitution of Sections of the Bar, and for the establishment of Boards of Notaries, in the new Judicial Dis-5 tricts in Lower Canada: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

1. The Governor may, whenever circumstances shall, in his Governormay, opinion, render it expedient that a section of the Bar of Lower by Prochama-10 Canada should be constituted in and for any District or Dis- tute a section tricts which he shall think fit to assign as the local limits of the Bar thereof, issue his Proclamation declaring the same; and upon, within certain from and after the date of any such proclamation, the District assigned lifrom and after the date of any such proclamation, the District mits, or Districts therein mentioned shall,-under the name of " The

- 15 section of the Bar for the District (or Districts) of constitute a separate section of the Bar, and all the provisions Act 12 V. c. of the Act passed in the twelfth year of Her Majesty's reign, 46, &c., to apchapter forty-six, intituled, An Act to incorporate the Bar of ply-Lower Canada so far as it is not otherwise provided by
- 20 this Act, and all subsequent Acts in so far as they affect Students at law, shall apply to such section in the same manner as if it had been named in the said Act.

2. The Council of every such section shall consist of three Council of members of the Bar, besides a Batonnier, Syndic, Treasurer such section. 25 and Secretary.

3. The first election of the Council in any such section, First Election shall take place within three months after the date of such in such secproclamation, at a meeting to be held at the Court House of tion. the District of the section for which such election shall take

- 30 place, which meeting shall be called by at least five members of the Bar practising within the section, by public notice to be Notice. inserted in the Canada Gazette at least fifteen days before such meeting, and by a public notice posted up at the Court House of the section where such meeting shall take place, at
- 35 least eight days before such meeting; Provided always that if If the section the limits of such section include two or more Districts, the includes more place at which the election shall be held, shall be named in trict. such proclamation, and the notice of such meeting; shall be posted up at the Court House of each District within the limits
- 40 of such section ; and the ordinary meetings of the Council and Place of meetof the members of any such section shall be held at the place ing of Council. where such first election shall have taken place.

than one Dis-

4. No such election shall take place unless there be present No election unless 8 Mem- at the meeting so called, at least eight members of the har bers are prepractising in the section. sent.

Governor may by Proclamation constitute a Board of No-District or Districts.

Number of Members.

Time of first election.

Quorum.

Notice.

5. The Governor, whenever it shall appear to him that circumstances render it expedient, may issue a proclamation 5 authorizing the establishment of a Board of Notaries in and for any District or Districts which he shall think proper to taries, for any assign as the local limits within which such Board shall have jurisdiction; and any Board of Notaries established under such authority shall have all the powers, rights and privileges 10 vested in or by law belonging to any now existing Boards of Notaries, so far as it is not otherwise provided by this Act.

> 6. Every such Board shall be composed of nine members. and the quorum for the despatch of business shall be six.

place within three months after the date of such proclamation at a meeting to be held at the Court House of the District for which such Board is to be established, which meeting shall be

called by the Prothonotary of the District, by public notice to

proclamation, and the notice of such meeting shall be given by the Prothonotaries jointly, and shall be posted up at the Court House of each District for which such Board is to be

7. The first election of members of any such Board shall take 15

be inserted in the Canada Gazette at least fifteen days 20 before such meeting, and by a public notice posted up at the Court House of the District where such meeting shall take place, at least eight days before such meeting; Provided al-Proviso: if the Board be ways that if such Board be for more than one District, the place for more than at which the election shall be held, shall be named in such 25 one District.

Subsequent the first.

established.

Notice.

8. All subsequent elections shall be held, at the times 30 elections after and in the manner prescribed by the Acts regulating the now existing Boards of Notaries; and meetings of any Board of Notaries established under the authority of this Act, shall be held at the place where the first election shall have taken place, and shall be called in the manner prescribed by the \$5 above Acts, but by insertion of a notice thereof in the French and English languages in the Canada Gazette; and the said Acts and all Acts affecting Notarial Students, shall in all respects, apply as fully to the Boards to be hereafter established as they now apply to those already established, except as here- 40 inbefore specially provided.

If the Advories in any Section fall below a certain number, the Section or Board

9. Whenever it shall be made known to the satisfaction cates or Nota- of the Governor that within the limits of, any section, of the Bar of Lower Canada, or within the limits of the jurisdiction of any Board of Notaries, which may have been 45 respectively constituted or established under the authority of a Proclamation, that the number of Members of the

Bar or ol Notaries, practising therein respectively, has been may be de-so reduced as to be insufficient for the working of any solved by Pro-such section of the Bar or Board of Notaries, it shall be clamation. lawful for him to dissolve, by proclamation, such section or dissolution. 5 Board, and to unite, from and after a day to be mentioned

- in such proclamation, the limits within such section or under the jurisdiction of such Board, or any District embraced therein, to some other section or sections, or to the limits of some other Board or Boards; and any such section or Board so dis-
- 10 solved shall be subject to the laws and regulations governing the section or Board to which it shall be united and of which it shall become part.