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No. 62.

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

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**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.

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

Second reading, Tuesday, 1st March, 1859.

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HON. MR. ATTY. GENL. CARTIER.

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

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.

**W**HEREAS it has become necessary to extend the provisions of "The Lower Canada Judicature Act of 1857," for the constitution of Sections of the Bar, and for the establishment of Boards of Notaries, in the new Judicial Districts in Lower Canada: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.  
20 V. c. 44,

1. The Governor may, whenever circumstances shall, in his opinion, render it expedient that a section of the Bar of Lower Canada should be constituted in and for any District or Districts which he shall think fit to assign as the local limits thereof, issue his Proclamation declaring the same; and upon, from and after the date of any such proclamation, the District or Districts therein mentioned shall,—under the name of "The section of the Bar for the District (or Districts) of \_\_\_\_\_", constitute a separate section of the Bar, and all the provisions of the Act passed in the twelfth year of Her Majesty's reign, chapter forty-six, intituled, *An Act to incorporate the Bar of Lower Canada* so far as it is not otherwise provided by 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.

Governor may, by Proclamation, constitute a section of the Bar within certain assigned limits.

Act 12 V. c. 46, &c., to apply.

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

Council of such section.

3. The first election of the Council in any such section, shall take place within three months after the date of such proclamation, at a meeting to be held at the Court House of the District of the section for which such election shall take place, which meeting shall be called by at least five members of the Bar practising within the section, by public notice to be 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 least eight days before such meeting; Provided always that if the limits of such section include two or more Districts, the place at which the election shall be held, shall be named in such proclamation, and the notice of such meeting shall be posted up at the Court House of each District within the limits of such section; and the ordinary meetings of the Council and of the members of any such section shall be held at the place where such first election shall have taken place.

First Election in such section.

Notice.

If the section includes more than one District.

Place of meeting of Council.

- No election unless 8 Members are present.
- 4.** No such election shall take place unless there be present at the meeting so called, at least eight members of the bar practising in the section.
- Governor may by Proclamation constitute a Board of Notaries, for any District or Districts.
- 5.** The Governor, whenever it shall appear to him that circumstances render it expedient, may issue a proclamation authorizing the establishment of a Board of Notaries in and for any District or Districts which he shall think proper to 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 vested in or by law belonging to any now existing Boards of Notaries, so far as it is not otherwise provided by this Act.
- Number of Members. Quorum.
- 6.** Every such Board shall be composed of nine members, and the quorum for the despatch of business shall be six.
- Time of first election.
- 7.** The first election of members of any such Board shall take 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 be 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 District where such meeting shall take place, at least eight days before such meeting; Provided always that if such Board be for more than one District, the place at which the election shall be held, shall be named in such 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 established.
- Notice.
- 8.** All subsequent elections shall be held at the times 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 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 hereinbefore specially provided.
- Proviso: if the Board be for more than one District.
- Subsequent elections after the first.
- Notice.
- 9.** Whenever it shall be made known to the satisfaction 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 respectively constituted or established under the authority of a Proclamation, that the number of Members of the
- If the Advocates or Notaries in any Section fall below a certain number, the Section or Board

Bar or of Notaries, practising therein respectively, has been so reduced as to be insufficient for the working of any such section of the Bar or Board of Notaries, it shall be lawful for him to dissolve, by proclamation, such section or  
 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  
 10 other Board or Boards ; and any such section or Board so dissolved 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.

may be dissolved by Proclamation.  
 Effect of such dissolution.