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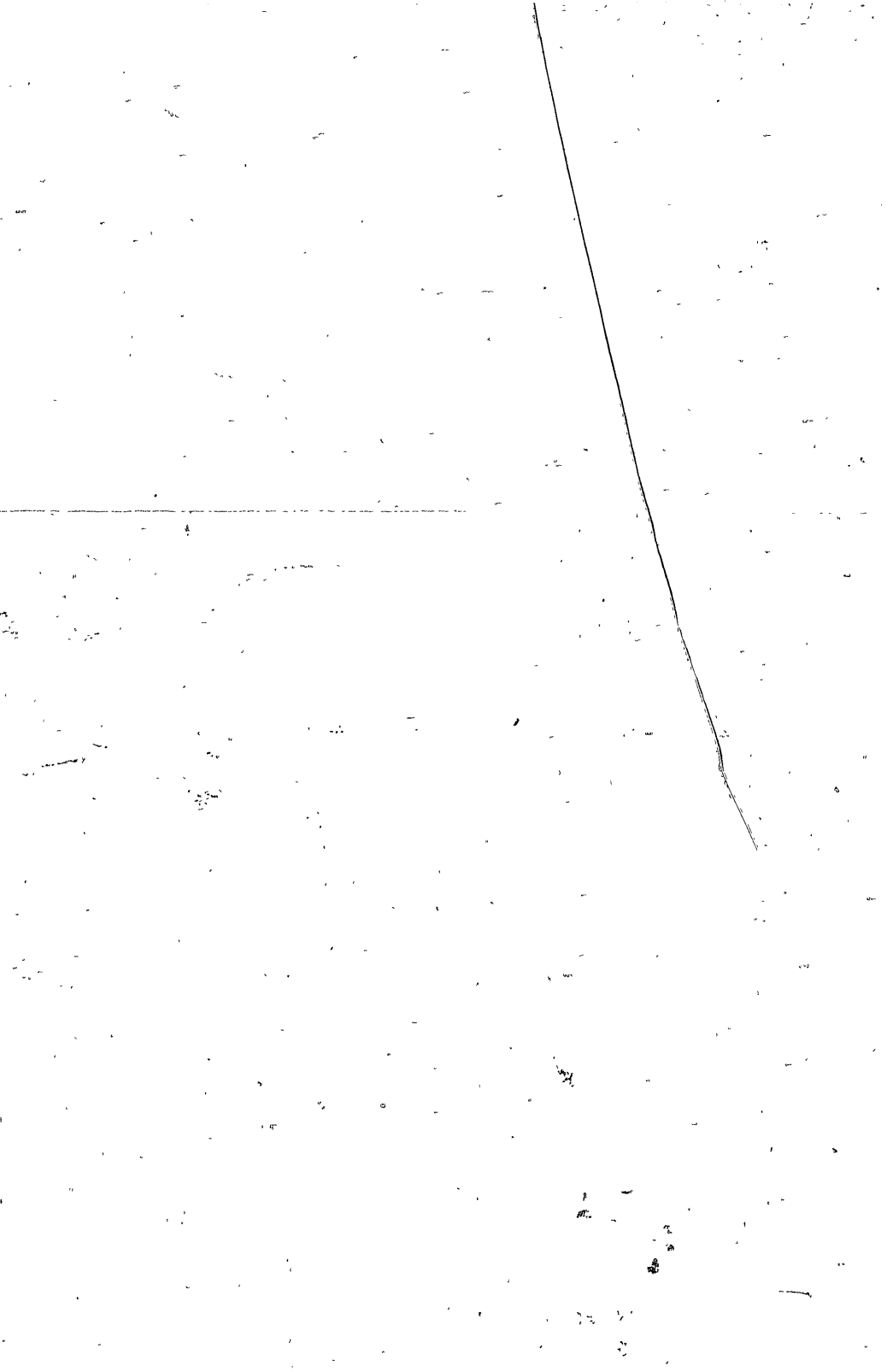


ERRATA.

The Reader will please to make the following corrections with his pen, before using the work :

- Page 42—Line 41—For 12 V. c. 41—Put “ 12 V. c. 42.”
 “ 60— “ 45— “ c. 16—Put “ c. 60.”
 “ 63— “ 12—Add “ 18 V. c. 208.”
 “ 71— “ 15—For 16 V. c. 112—Put “ 18 V. c. 112.”
 “ 104— “ 41, 42—For c. 258—Put “ 123 ”—For c. 123—Put “ c. 258.”
 “ 139— “ 41—For 41 G. 3, c. 2—Put “ 41 G. 3, c. 4.”
 “ 149— “ 49—For 18 V. c. 101—Put “ 18 V. c. 104.”
 “ 190— “ 4—For 7 G. 4, c. 77—Put “ 9 G. 4 c. 77.”
 “ 195— “ 26—For 18 V. c. 199—Put “ 16 V. c. 199.”
 “ 204— “ 6—For s. 22—Put “ s. 32.”
 “ 207— “ 40—For s. 11—Put “ s. 1.”
 “ 208— “ 47—For Section 18—Put “ Section 8.”
 “ 214— “ 22—For 19, 20 V. c. 26—Put “ 19, 20 V. c. 46.”
 “ 267— “ 40—Add “ Montreal Gaol at, 10, 11 G. 4, c. 31—4 V. c. 24.”
 “ 268— “ 30—For 9 V. c. 60—Put “ 9 V. c. 67.”
 “ 269— “ 2—For 36 G. 3, c. 8—Put “ 36 G. 3, c. 9.”
 “ —Transpose line 39 so as to make it line 36.
 “ 308—Line 14—For s. 2—Put “ s. 4.”
 “ 316— “ 32—For 8 V. c. 42—Put “ 9 V. c. 42.”
 “ 332— “ 40, 41—Strike out “ 48 G. 3, c. 10—59 G. 3, c. 38.”
 “ 336— “ 22—For 12 V. c. 16—Put “ 12 V. c. 10.”
 “ 343— “ 27—Add “ 18 V. c. 213.”
 “ 371— “ 31—Insert 1 V. c. 10 after “ Suppressing.”
 “ 376—Last line but two—For Enregistered—Put “ Unregistered.”
 “ 380—Last line—For 10th November, 1844—Put “ 1st November, 1844.”
 “ 394—Line 50—For 3 W. 4, c. 14—Put “ 3 W. 4, c. 24.”
 “ 396—After line 14—Insert “ See also 13, 14 V. c. 15, as to Roads and Bridges in Cities &c., or given up by Public Works.”
 “ 401—Line 27—Add “ Explained by 16 V. c. 93.”
 “ 402—After line 19, Insert “ Court House 2 V. (3) c. 38.”
 “ 405—Last line but four—For Acres—Put “ Years.”
 “ 442—Line 2—For 18 V. c. 139—Put “ 18 V. c. 239.”
 “ 459—Last line, Insert “ Court House and ” before “ Market at.”
 “ 461—After line 48, Insert “ See 12 V. c. 11, s. 2—as to annexation of Small Gores.”

There are also a very few mere slips of the Press, as words mis-spelt, &c., or a figure wrong in the year of Our Lord when the year of the Reign and chapter are right,—but these will be obvious and cannot mislead the Reader.



13 JUN 19

INDEX

TO

THE STATUTES IN FORCE

IN

LOWER CANADA,

AT

THE END OF THE SESSION

OF

1856,

Including a Classification thereof, a Revision of the Public General Acts,
and an Index to the Statutes not in force.

PREPARED BY ORDER OF THE LEGISLATIVE ASSEMBLY,

ON MOTION OF

J. W. GAMBLE, ESQ.

BY

G. W. WICKSTEED, Q. C., Law Clerk of the House.



TORONTO :

PRINTED BY STEWART DERBISHIRE & GEORGE DESBARATS,
Law Printer to the Queen's Most Excellent Majesty.

1857.



NOTICE.

Mr. GAMBLE moved, in the Legislative Assembly, on the 8th November, 1854,—

“That the Law Clerk of this House, with such assistance as he may deem necessary, and which assistance he is hereby authorized to procure, do prepare an Index of the Statutes now in force in this Province, as full and complete and upon the same plan as that of the Revised Statutes of Canada West, which Index shall be made and finished in time to be printed with the Statutes that may be passed during the present session, and shall be so printed and bound up with them.”

The motion was carried unanimously, and an Order was made accordingly.

I had the most earnest desire to obey the command of the House. But it will be evident that the execution of the Order thus made, necessarily involved a critical examination of the whole Statute Law of the Province, since without such examination it was manifestly impossible to say what part of it was or was not in force; and the terms of the Order shew the sense of the House, that an Index which did not include this distinction would be useless. Nor could the work be confined to merely ascertaining what Acts or parts of Acts were expressly repealed, it must extend also to all questions of virtual repeal, and to the action and effect, direct or indirect, of the later Statutes upon the earlier.

Now, we have the authority of the former Revisers of the Statutes both of Upper and Lower Canada, that this examination and the statement of its results in a convenient form, is not only a revision of the Statutes, but all that revision can effect without the intervention of the Legislature. It was all they themselves held it expedient to attempt. Nor was it a slight service which they rendered to the public in thus separating the living from the dead law, and so staying for a time the plague of confusion which was overrunning the Statute-Book.

I found a similar office assigned to me by the order of the House; except that it included the Statutes in force in each of the divisions of the Province, and those common to both. I was not indeed called upon to reprint the Laws in force, (a very laborious and responsible though not very difficult work) but to counter-balance this advantage, I had to make an Index to eleven separate volumes, and which, to be intelligible as well as to be within the terms of the Order, must be very much fuller and more comprehensive than an Index referring to a single volume and annexed to it.

I saw, therefore, that it was impossible to comply literally with the command of the House; for besides that the time which would probably elapse before the close of the Session would be insufficient as regarded the Statutes then in existence, it was certain that a very large number would be passed in that very Session, which must not only be included in the Index, but the effect of which on former Statutes must be taken into account, and might render necessary extensive changes in whatever part of the work should then have been done. But I determined that if I could not obey the letter of the Order, I would leave nothing undone to comply with its spirit. To delay the distribution of the Statutes until the work should be printed would have been unwarrantable, but I thought it possible to complete the publication before the Legislature should meet again.

The Statutes in force in Canada are obviously divisible into three classes: those which apply exclusively to Upper Canada,—those which apply exclusively to Lower Canada,—and those common to the whole Province; and the mass of printed matter in each of these three divisions is very nearly equal. It would

have been inconvenient to mix up indiscriminately the enactments applicable exclusively to Lower or to Upper Canada, and I determined to divide the Index into two parts, one for Upper and the other for Lower Canada, but each including the Acts common to the whole Province. As my Assistant for that relating to Upper Canada, I esteemed myself fortunate in securing the services of Mr. W. C. KEELE, a gentleman well known as the author of a most useful and popular work for the Magistracy in that section of the Province. For the part relating to Lower Canada I was not so happy; and several gentlemen, to whom I applied, declined the office after consideration. The work was laborious, monotonous and uninviting; while from its nature, as well as from the limited time allowed for its performance, it was absolutely requisite that whoever undertook should not only devote his whole time to it, but work at it early and late. It was not until after the Upper Canada portion of the work was all but completed, that I was able to secure the services of a gentleman competent and willing to do this for that relating to Lower Canada. And indeed, I soon found that properly to revise, correct and print that part of the Index relating to Upper Canada and to the whole Province, was quite as much as I could do before the next meeting of the Legislature. It was indispensable also that the Lower Canada portion of the work should be prepared and printed in both languages. Under these circumstances, and as the Index was ordered upon the motion of an Upper Canada member, and the necessity for it was more particularly felt in that portion of the Province, I had no hesitation in determining to leave the Lower Canada Index until after the Session of 1856, when I could enter in it the Acts to be passed during that Session, and their effect upon former Acts applying either to the whole Province or to Lower Canada alone.

The two Houses adjourned on the 18th December, 1854, after passing sixty-seven Acts; they met again on the 23rd February, 1855, and Parliament was prorogued on the 30th May, 1855, after passing one hundred and eighty-four more Acts, making in all two hundred and fifty-one, all of which and their effect on former Acts, had to be included in the Index. The removal of the Seat of Government in the autumn of 1855, of course retarded to some extent the progress of the work; but by the end of January the Upper-Canada portion of it, including the Acts applying to the whole Province, was completed and in print.

Shortly before the time last mentioned, I had succeeded in engaging the services of Mr. E. J. Hemming, Advocate, of Montreal, a gentleman admirably well qualified to afford me similar assistance in preparing the Lower Canada portion of the work, to that which Mr. Keele rendered me in preparing the Upper Canada portion, and by whose able and indefatigable exertions in working out my notes and instructions touching the Public Acts applying especially to Lower Canada, the manuscript of that portion of the Index was placed in my hands in September, 1856, including the Acts passed in the Session which closed on the 1st July then last. I lost no time in revising it, and inserting those portions which I had undertaken to prepare, and in making arrangements with Messrs. D. P. Myrand and E. P. Dorion, Advocates, Translators to the Legislative Assembly, for the translation into French. The printing was commenced as early as possible. I was unable to avail myself of the assistance of Mr. Hemming in correcting the proofs, in consequence of his residing in Montreal, but in this I had the efficient and zealous aid of Mr. F. Badgley, Advocate, the acting Assistant Law Clerk, as I had also in collating and verifying every reference in the book, and in every way in which his services could be made available; and to his help and to the ability and energy of Messrs. Myrand and Dorion I owe it that the work is now ready in English and translated into French, and that the printing of the French version is so far advanced as to make it certain that it will be ready early next month.

I have thought it right to enter into these details, in order to shew that the impossibility of complying literally with the Order of the House, alone prevented me from doing so, not to apologize for the time it has taken me to do what I feel

that nothing but that Order would have justified my attempting to do in so short a period. Had I not been partly prepared before with a view to revision in another form, I should not have dared to attempt it.

The rule I have adopted in framing the Index, is to refer to all the sections of each Public General Act which are in force, under some one title, making that title the *most special* which would embrace all the provisions; and to cite any of them which come properly under other titles, either by repeating them under such titles, or by reference to that embracing the whole Act, as might seem best; and it will be found very useful to bear this in mind in using the work. Thus the title "Administration of Justice" does not contain those Acts the whole scope of which could be included under a more special title, as "Prerogative Writs," &c., but only such as embraced too many subjects to be included under any smaller title; and every provision connected with the Administration of Justice can only be found by reference to the classification of titles in the Supplement. In an Index referring to so many volumes I held it highly desirable to mention every section in force, and to make the work much fuller than I should have done if it had been annexed to a volume containing the Acts referred to, in which case I should also have reversed the plan, making the reference to the titles including whole Acts short, and giving the details under the incidental titles. As regards the Local and Private Acts, the references are, as in the Index to the Revised Statutes of Upper Canada, to the Acts only, and not to their provisions. To have done more than this would have been impossible in the time, while it would have swelled the work to inordinate dimensions; nor did the Order of the House require or justify more.

The Classification is carried out in the Supplement, and will, I think, be found very useful, not only by those who wish to find *all* the Statute Law on any of the larger subjects; but also as a help in various other ways. There are many Acts which no two persons would enter under the same title—but the class to which they belong can scarcely be mistaken, nor the right title among those in that class. The classification also binds the titles of the Index together and completes them: every provision bearing upon a subject cannot (as I have above remarked) always be entered under one title, and from my being compelled to give part of the work to the printer before the whole could be finally revised, it may sometimes happen that a provision omitted under a title under which it would have been strictly right to refer to it, has been entered under another either of the same import or nearly related to it; and I strongly advise those who wish to find the whole law upon any subject, to look at least at the titles nearly connected with it in the same class. A classification might have been devised more logically correct and more special—thus the titles relating to "Procedure" might be divided into "before trial"—"at trial"—"after trial"—and so of the rest: but I found that the Acts themselves (and therefore the titles referring to them) generally embraced too many matters for this arrangement, and that practically the best division I could devise was that which I have adopted.

Under the class of Criminal or Penal Law I have included those titles where the main object of the provisions referred to is to prevent the doing of some act which is contrary to the public good, although the punishment imposed, is only a pecuniary penalty; but I have not included those where the penalty is merely incidental, as in the title "Militia" for instance.

The second part of the Supplement contains an Index to the Acts (not the provisions) which have for any reason been omitted in the main Index. Where the Act is a public general one, its insertion in this part indicates that it is either expressly or impliedly repealed or superseded, or has expired. But local and personal or private Acts, which have not been expressly repealed, have generally been referred to briefly in the main Index; and though many of them may be virtually superseded by others or effete by the accomplishment of their object, yet they may still affect some title, claim or right; and their insertion is merely

an indication that the repeal has not been express. Thus in the case of Acts altering Municipal or Registration Divisions, most of which are or will be eventually superseded by the general Municipal Act, or the Act providing for a Registry Office in every County, there may yet remain taxes to be collected, &c., or the requirements of the Registry Act may not have yet been carried into effect. If an Act has been expressly repealed, or has expired, it is of course entered in the second part of the Supplement. Of the private Acts, only those have been included which are or may be carried into effect in Lower Canada, except those relating to Mining Companies, which have been inserted on account of their stock being very generally held in both sections of the Province. Banks and Insurance Companies generally carry on their business in both.

There is a class of transitory Acts consisting principally of those granting sums of money to certain persons or for certain purposes, which are public and general only in so far as the grants come out of the public chest but local or personal so far as regards the persons or purposes for which the grants are made. They are not strictly temporary, for the money may remain any length of time unexpended; but they are effete whenever it is. These are entered in the main Index, whenever there appeared any probability that any thing remained to be done under them, as in case of public works still treated as such by the Legislature; in other cases they are entered in the Supplement, where, if required, they can be found with equal facility. Neither local nor personal Acts are of much general interest or of frequent reference; but, in seeking those upon any subject, I advise that both the Index and the Supplement be consulted.

The Tables of the Statutes in force, or which have been in force, in Upper Canada, have been printed during the present year; and it is my intention to prepare a similar work with reference to the Statutes which are or have been in force in Lower Canada—a revised edition and continuation, in fact, of the Tables to the Statutes of Lower Canada published by the former Revisers, of whom I had the honor to be one. But it will not be possible to do this until after the now approaching Session, the effect of the Statutes passed in which, will, of course, be noted in the work. In the meantime I have prefixed to the Index a Table of the Public General Acts indexed, in their chronological order, with the titles under which they are respectively entered, which will be found very useful in finding whether any given Act is or is not in force, and, if wholly or partly in force, under what head a summary of its contents will be found.

Much still remains to be done before an Edition of the Statutes in force in Canada, worthy of the Country, can be published. To re-print them in their present state would be worse than useless; the discrepancies, contradictions and double provisions for the same thing must be first removed, the doubtful points cleared up, and the enactments consolidated in cases where they are scattered through a multitude of Acts. This will undoubtedly be done by the Revisers appointed under the Honorable Mr. J. H. CAMERON's motion of the Session before the last, and with the aid of the Legislature. But some time must elapse before this can be accomplished, and I trust that the present work will not only meet the wants of the public in the meantime, but that by enabling the Revisers and the Legislature to start from a more advanced point, and to begin the work of amendment and consolidation at once, it will ensure the speedy accomplishment of the greater work which still remains to be done. It is not likely that any re-print will include the local and private Acts, and the portion of the Index which relates to them will remain useful after the rest is superseded by a newer and better work, while the Tables I propose to print will form part of the history of the legislation of the Country, and will never cease to be interesting and useful.

In the form of the work I have made facility of reference the first object, both in the arrangement of the matter and the type employed, and a fair margin has been left to afford room for noting the additions and changes which may be made by future legislation; but, so far as was consistent with these essential objects, I

have endeavoured to condense the matter into as small a space as possible. In citing public Acts, the year of our Lord has been added after that of the Reign and in citing those printed in the Revised Statutes of Lower Canada, the page on which the Act commences is added, as the Acts are there arranged in the order of subjects, and not in that of their dates. The Statutes passed since the Union are arranged in the order of date and chapter, and a reference to the pages would be useless.

In the course of the work we have had to examine nearly nine thousand pages of matter and several thousand Acts; and the difficulty of ensuring correctness in the print has been greatly increased by the necessity of making the references by reign, chapter and section, instead of the mere number of the page. I have no wish to undervalue what I have done, but I cannot expect to have escaped errors, though I have taken all the pains which the time would allow to avoid them. I believe they are neither numerous nor grave, and those which have been discovered too late for correction in the press, have been noted in a list of *Errata*. Undoubtedly, if I had had more time, I could have made the work better in many respects, and, whatever may be its defects, I trust the period within which I was bound to complete it will be taken into consideration in judging them. I fear least of all the judgment of those who have themselves undertaken or are competent to undertake a like task, and feel confident that my fellow members of the present Commission for Revising the Statutes will be among the most lenient, as they will be the most competent, of my critics.

The plan carried out in this work is perhaps the only one by which a Revision of the Statutes can be conveniently made and the result laid before the public, between Session and Session. Both in Upper and Lower Canada a large portion of the Revised Statutes ceased to be in force before they were published; and if Mr. Gamble's original intention, of renewing the Index from time to time, should be carried out, every re-publication would not only be more easily and rapidly effected, but would be more accurate and better in all respects than those preceding it.

G. W. WICKSTED.

Toronto, 17th January, 1857.

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TABLE

OF

PUBLIC ACTS AND ORDINANCES

The sections and parts of which now in force are referred to in the following Index ; with the Titles under which they are entered.

NOTE.—A very few only of the Local and Personal Acts are entered in this Table : They can easily be found in the Index ; every Local Act being entered under the Name of the Place, and every Personal Act under the Name of the Person or Corporation, to which it relates.

ORDINANCES.	ACTS OF L. C.
17 G. 3. c. 3 Usury.	44 G. 3. c. 7 Foreman of Grand Jury, &c.
4 Forestalling—Regrating.	11 Marriages.
7 Indians.	45 G. 3. c. 10 Sunday—Taverns.
12 Ferries.	47 G. 3. c. 9 Seamen, desertion of.
13 Fires, accidents by.	48 G. 3. c. 6 <i>Lettres de terrier</i> .
22 G. 3. c. 1 Majority.	22 Experts—Adm. of Justice.
24 G. 3. c. 1 Habeas Corpus.	52 G. 3. c. 3 Bastards—C. Law—Murder.
25 G. 3. c. 2 Administration of Justice.	7 Fines—Limitation.
27 G. 3. c. 1 Appeals—Juries.	8 Habeas Corpus.
4 Administration of Justice.	55 G. 3. c. 10 Militia.
6 Militia—Peace Officers:	57 G. 3. c. 10 Houses of Correction.
3 Criminal Law.	16 Police Regulations of.
28 G. 3. c. 8 Medical Profession.	26 Meridian Stones, &c.
30 G. 3. c. 7 Fires, accidents by.	28 Letters Patent of Land, &c.
8 Records.	58 G. 3. c. 14 Houses of Correction.
31 G. 3. c. 1 Indians.	59 G. 3. c. 8 Fire, accidents by.
2 Administration of Justice.	9 Gunpowder.
32 G. 3. c. 2 Administration of Justice, &c.	1 G. 4. c. 8 Habeas Corpus.
ACTS OF L. C.	15 Peace Officers.
33 G. 3. c. 4 Quakers.	19 Marriages.
34 G. 3. c. 1 Acts of Parliament.	3 G. 4. c. 12 Hawkers and Pedlers.
6 Administration of Justice.	17 Districts—St. Francis.
35 G. 3. c. 1 Hab. Corpus—J. P.—Witnesses.	32 Houses of Correction.
4 Registers of Baptisms, &c.	4 G. 4. c. 4 Larceny.
8 Hawkers and Pedlers.	5 Larceny.
36 G. 3. c. 1 Acts of Parliament.	6 Larceny.
3 Let. Pat. of lands—Pub. lands.	15 Gaspé, Titles to Property in.
9 Roads.	17 Defendants—Districts.
10 Voyageurs.	18 Circuit Courts.
12 Crim. Jurisdiction—Felony.	19 Convictions—Justices, &c.
39 G. 3. c. 5 Roads.	31 Fabrique Schools—Mortmain.
7 Weights and Measures.	5 G. 4. c. 2 Attachment—Bail, &c.
9 Witnesses.	25 Marriages.
7 Crim. Con.	6 G. 4. c. 5 Capital Offences—C. Law, &c.
40 G. 3. c. 4 Dower—Mar. Women—Wills.	8 Census—Statistics, &c.
41 G. 3. c. 7 Administration of Justice.	7 G. 4. c. 2 Registers of Marriages, &c.
8 Relationship—Witnesses.	3 Public Worship.
9 Cap. Offences—Murder—Treason.	6 Costs—Damages.
13 Billiard Tables.	8 Declaration—Attachment, &c.
15 Decisory Oath—Evidence.	20 Fabrique Schools.
17 Royal Institution.	9 G. 4. c. 4 Houses of Correction.
43 G. 3. c. 1 Militia.	10 Delits, &c. Trial by Jury.
4 Acts of Parliament.	20 Ratification of Title.

ACTS OF I. C.

- 9 G. 4. c. 27 Debtors—Attachment, &c.
 28 Attachment—Debtors, &c.
 51 Fish.
 56 Lef. Pat. of lands—Pub. lands.
 75 Jews.
 76 Wesleyan Methodists.
 77 Free and Common Soccage.
 10,11 G. 4. c. 8 Registration of Deeds.
 17 Districts, Judicial—T. Rivers.
 22 Three-Rivers.
 26 Attachment—*Saisie Arrêt*.
 1 W. 4. c. 3 Registration of Deeds.
 6 Wolves.
 39 Ind. Reservation of St. Regis
 53 Aliens.
 56 Presbyterians.
 57 Jews.
 2 W. 4. c. 7 Registration of Deeds.
 32 Unclaimed Goods.
 34 Foundlings.
 41 Education—Jesuits' Estates.
 51 Gaspé.
 3 W. 4. c. 14 Bills of Exchange, &c.
 18 St. Francis.
 27 Secession Church of Scotland.
 28 Presbyterians, Hull.
 29 Baptists.
 4 W. 4. c. 4 Attachment.
 5 Registration of Deeds.
 19 Congregational Societies.
 20 Free-Will Baptists.
 21 Universalist Societies.
 33 Mutual Insurance Companies.
 5 W. 4. c. 1 Cap. Offences—Crim. Law, &c.
 6 W. 4. c. 5 Clerks of the Peace.
 12 Normal Schools.
 15 Sheriff.
 19 Justices of the Peace.
 20 St. Louis Rapids.
 26 Execution—Fraudul't Seizures
 28 Seamen, Wages of.
 33 Mutual Insurance, Cos.
 35 Seamen, Support of Sick, &c.
 36 Coal, Measurement of.
 37 Militia.
 49 Calv. and—Free Will Baptists.
 50 Methodist Protestants.
 53 Gaspé, Titles to Property in.
 55 Beaches, grass growing on.

ORDINANCES, I. C.

- 1 V. c. 1 Ordinances.
 10 Rebellion.
 20 Newspapers, &c.
 2 V. (1) c. 2 Police.
 2 V. (2) c. 2 Arms.
 7 Attainder of Convicts, &c.
 8 Oaths, Secret.
 9 Murder.
 10 Acts of Parliament.
 2 V. (3) c. 4 Registers of Marriages, &c.
 13 Ferries.
 16 Desertion of Soldiers.
 17 Methodist New Connexion.
 20 Justices of the Peace.
 23 Criminal Law.
 26 Religious Communities, &c.
 28 Bedding—Debtors—Execution.
 29 Churches and Parishes.
 48 Execution—Waste.

ORDINANCES.

- 2 V. (3) c. 56 Criminal Law—Witnesses.
 65 Fish and Oil, inspection of.
 3, 4 V. c. 5 Gaspé, Titles to Prop. in, &c.
 16 Ordinances.
 25 Winter Roads.
 30 St. Sulpice, Seminary of.
 33 Gunpowder.
 39 Officers' Horses.
 44 Indians.
 4 V. c. 20 Court-Houses and Gaols.
 23 Churches and Parishes.
 30 Registration of Deeds.
 33 Winter Roads.

ACTS OF CANADA.

- 4, 5 V. c. 7 Aliens.
 17 Coin, Spurious, Copper, &c.
 18 Schools.
 21 Auctions.
 24 Criminal Law.
 25 Larceny.
 26 Malicious injuries to Property.
 27 Malicious injuries to the person.
 28 Finance—Public Works.
 29 Bank Notes, duty on.
 32 Savings Banks.
 33 Finance.
 36 Gaspé, Fisheries in.
 38 Public Works.
 41 Medical Profession.
 43 Firemen.
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Court may however proceed without awaiting return of commission, *ib.*

32 G. 3, c. 2—1792.—100.

Commissions rogatoires may issue for examining witnesses in any part of Lower Canada, if 30 miles from court house, s. 1.

Single judge may take evidence in circuits, ss. 2, 3.

The circuit courts were abolished by 4, 5 V. c. 20, s. 36. But see below, 12 V. c. 38, ss. 27, 28, 30, 31 and 64.

Penalty on witness for non-attendance, what and how enforced, s. 4. *See also Evidence.*

ADMINISTRATION OF JUSTICE, (IN CIVIL CASES),

34 G. 3, c. 6—1793.—101.

Province of Lower Canada divided into three districts, Quebec, Montreal and Three-Rivers, s. 1. *But see, as to Three-Rivers, 10, 11 G. 4, c. 17; as to St. Francis, 3 G. 4, c. 17, and 3 W. 4, c. 18; 7 V. c. 17, s. 2, erecting inferior district of Gaspé into a district, and 12 V. c. 38, s. 10, as to Ottawa and Kamouraska; and Districts generally.*

Courts of King's Bench established in said districts, their constitution and jurisdiction, s. 2. *But see 7 V. c. 17, and 12 V. c. 37, s. 25; c. 38, ss. 2, 8, and c. 40, transferring powers thereof to courts thereby established, s. 2.*

Governor not prevented from issuing commissions of Oyer and Terminer, s. 4.

Execution of sentences of courts of Oyer and Terminer, how and when to be suspended, s. 5. *But see 4, 5 V. c. 24, s. 32.*

Powers granted to Courts of K. B., s. 8. *And see 12 V. c. 38, s. 8.*

Exception as to powers of a legislative nature, possessed by courts previous to the conquest, s. 8.

Judges when may depute notary or other fit person to receive *avis de parens* or to affix and take off seals, s. 9. *But see avis de parens.*

Sections 10 to 26 are repealed or superseded by later statutes. *See below.*

What causes may be appealed from court of K. B. and on what conditions, s. 27. *And see below 12 V. c. 38, s. 37.*

Appeal in error only allowed from judgments founded on verdicts, s. 28.

What laws to govern courts established by this Act, s. 29. *As to Appeals, see below 12 V. c. 37, ss. 6 and 16. As to Courts of K. B. see below 12 V. c. 38, s. 8.*

Appeal when and on what condition allowed to Privy Council, s. 30. *See below 12 V. c. 37, s. 10.*

Execution how suspended in such case, s. 31.

Appeals how limited, s. 32. Exceptions.

(*As to above 6 sec. see below 12 V. c. 37, ss. 16 and 19.*)

General sessions of the peace, s. 34. *But see Quarter Sessions.*

Captains or senior officers of Militia, authorized to act as Coroners, s. 36.

Justices of courts of K. B. to have power to grant Writs of *habeas corpus*, s. 37. *See habeas corpus.*

Writs how returnable in certain cases, *ib.*

Certain ordinances repealed, s. 38 to 42.

Rights of the crown reserved, s. 43.

41 G. 3, c. 7—1801.—112.

25 G. 3, c. 2, s. 1, repealed. Writs of summons how obtained and tested, s. 1. *But see 12 V. c. 38, s. 19.*

Defendant may demand security for costs from absentees, s. 2.

Proceedings to be stayed until security put in, *ib.*

Section 3 is superseded by 12 V. c. 38, s. 23.

Defendant after judgment by default, to have benefit of rehearing when not served personally or at actual domicile, s. 5. *But see below, 12 V. c. 38, s. 23.*

ADMINISTRATION OF JUSTICE, (IN CIVIL CASES),

Writ against *garant* in another district how directed. endorsed and served, s. 6. *But see below*, 16 V. c. 194, s. 31.

Witnesses may be examined out of term before two judges, s. 7. *But see below*, 16 V. c. 194, s. 5.

Debtor imprisoned under *ca. re.* to have alimentary pension as provided by 25 G. 3, c. 2, s. 38, in certain cases, s. 8.

Debtor imprisoned under *ca. sa.* may obtain allowance out of term, s. 9. *But see* 12 V. c. 41, s. 1, *abolishing ca. sa.*

Signature of defendant to note or writing, when to be held as confessed, s. 10.

Oppositions *à fin d'annuller, distraire* or *de charge*, when and how to be filed, s. 11.

“ none allowed to writ of *rend. exonas*, proviso, *ib.*

“ not filed in time, may be converted into oppositions *à fin de conserver* on proceeds of sale, *ib.* See Oppositions.

Oppositions, sheriff to make return of, within 24 hours, s. 12.

Opposants failing to prosecute to pay costs of plaintiff and all damages,—proviso, s. 13.

Publication not suspended by opposition but only sale, *ib.*

Folle enchère how obtained, s. 14. *Adjudicataire* liable for all damages.

Defendant refusing to deliver up real property sold, writ of possession to issue, s. 14. *But see below*, 16 V. c. 194, ss. 23 to 30.

Plaintiff being purchaser of real estate, may retain certain part of purchase money, on giving security to sheriff, s. 15.

On payment of balance due, sheriff to execute deed of sale, *ib.*

Courts to make rules of practice, s. 16. *See below* 12 V. c. 37, s. 17, and 12 V. c. 38, s. 100.

Courts of criminal and civil jurisdiction, to make table of fees, s. 17. *See also* 12 V. c. 37, s. 26, and 12 V. c. 38, s. 100.

Appointment of tutors, &c. by single judge may be set aside by court, s. 18. *See also* 12 V. c. 38, s. 74.

Actes of emancipation may be allowed out of court, subject to being annulled by court, s. 19.

48 G. 3, c. 22. 1808—116.

As to *Experts*, and witnesses before them, ss. 1, 2, 3. *But see* 13, 14, V. c. 38.

One judge to have power to name party to receive *avis de parens* and to administer necessary oath, s. 4.

Any two judges may appoint commissioners to receive affidavits, s. 5. *And see below* 12 V. c. 38, s. 8 and 102, and 19 and 20 V. c. 88.

Affidavits to be as valid as if taken in court, and same penalty for false swearing, *ib.*

Forms of oath by *Experts* and witnesses, and certificate of commissioner, *ib.*

9 G. 4, c. 10.—1829.—143.

Right of jury trial extended to cases of actions of damages for *délits* or *quasi-délits* to moveable property only. *And see above*, 25 G. 3, c. 2, s. 9.

ADMINISTRATION OF JUSTICE, (IN CIVIL CASES),

COURT OF QUEEN'S BENCH.

12 V. c. 37—1849.

7 V. c. 18 repealed, but without revival of Acts repealed thereby, s. 1.

Court of Queen's Bench established for Lower Canada, s. 2.

“ “ to consist of four judges, how qualified, *ib.*

“ “ Name of Court when and how to be changed, *ib.*

Judges of, independence of how secured, 7 V. c. 15 to apply, s. 3.

“ where to reside, s. 4.

Civil jurisdiction of, in appeal and error throughout Lower Canada, s. 5.

Court and judges to have same powers as Provincial Court of Appeals before 7 V. c. 18, s. 6. *See above*, 34 G. 3, c. 6, s. 29—27 G. 3, c. 4, s. 6, and 25 G. 3, c. 2, s. 24, and *sec.* *See also* Appeals.

Who to preside, s. 7.

Terms—number of, to be held at Quebec and Montréal,—causes to be heard at either place, s. 8.

“ when and where held, power to adjourn for rendering judgments only, s. 9.

Quorum—any three—majority to decide, but 3 necessary to reverse while 2 may affirm, s. 10.

Judges having been members of court appealed from, when disqualified, s. 11.

Clerk of appeals—appointment—residence—to appoint deputy, residence and powers of latter, s. 12.

Neither clerk or deputy to practise at the bar while in office, s. 13.

Writs and process, how styled, sealed, signed and tested, not to be void for wrong seal or none,—may be in either English or French, s. 14.

Judges ad hoc, s. 15, *repealed by* 14, 15 V. c. 88, s. 1.

What laws to govern proceedings and practice, s. 16. *See also* Appeals.

Rules of practice and tariff, court to make, s. 17.

Judgments, final—to be *motivés*, concurrence and dissent of judges to be recorded, s. 18.

Appeal to Privy Council, when and on what conditions allowed, s. 19.

Records of former Court of Appeals, to be transferred to this, s. 20.

Judgments of former court not to be avoided; pending causes to be transferred to this, s. 21.

Process, &c., issued before this Act, how returnable, s. 22.

Proceeding, 18 sections to apply only to “Appeal Side”, s. 23.

Criminal jurisdiction—extent of—Admiralty matters excepted, s. 24.

Powers of courts and judges—exception—proviso as to removal of causes and as to district of Gaspé, s. 25.

What laws to govern court, officers, jurors and witnesses, s. 26.

ADMINISTRATION OF JUSTICE, (IN CIVIL CASES),

Judges to be justices of the peace and coroners for all L. C. s. 27.

Writs—form of, in criminal matters, s. 28.

Clerk of the crown—appointment; Deputy, powers of latter—his removal, s. 29.

“ prothonotary or circuit clerk may be, s. 30.

“ not to practise at the bar while in office.

Terms, number of—exceptions—as to Gaspé, Ottawa and Kamouraska—As to cases pending when new districts proclaimed, s. 31.

Quorum of court, and their powers, s. 32.

Judges of superior court when may hold court of Q. B. Crown Side, s. 33.

Terms—when and where to be held—Quebec, Montreal, Three-Rivers, Sherbrooke, Aylmer, Kamouraska, when term day, Sunday or Holiday, s. 34.

Terms to continue until business closed—may be adjourned to any day before next term, s. 35.

Terms—, extraordinary—how may be held by proclamation, s. 36.

Records, &c., of former court how transmitted to this, s. 37.

Judgments of former courts to remain good—pending matters to be transferred to this court, s. 38.

Process, &c., returnable to former court, how to be returned, Gaspé excepted, s. 39.

Next preceding 16 sections to apply only to “ Crown Side,” s. 40.

Habeas corpus—powers of court and judges respecting—penalty for refusing writ in vacation, s. 41.

Commissions of *oyer and terminer*, how may be issued, right of the crown reserved, s. 42.

Laws inconsistent with this Act repealed, s. 43.

Interpretation act to apply, s. 44.

Act when to come in force, s. 45.

SUPERIOR AND CIRCUIT COURT FOR LOWER CANADA:

12 V. c. 38—1849.

7 V. c. 16 and 9 V. c. 29, and all laws inconsistent with this Act, repealed, except that existing circuit court not to be abolished.—No revival of any Act in consequence, s. 1.

Present courts of Queen’s Bench, resident judge at Three Rivers and provincial judge at St. Francis, abolished, s. 2.

SUPERIOR COURT.

Superior court for Lower Canada established, how constituted, judges where to reside, s. 3.

Qualification of judges of, s. 4.

Independence of judges secured, 7 V. c. 15 to apply, s. 5.

Jurisdiction of Court;—exception, s. 6.

Superintending and reforming power of, over other courts, and evocations to former courts of Queen’s Bench, how regulated, s. 7. *But see* 16 V. c. 211, as to appeals from by-laws of municipal councils.

Powers of former courts of Q. B. in civil matters transferred to,—exception, s. 8.

ADMINISTRATION OF JUSTICE, (IN CIVIL CASES),

- What laws to govern proceedings and practice of, s. 9.
- Districts of Quebec, Montreal, Three Rivers, St. Francis and Gaspé, to remain as they are, s. 10. *See also* Districts.
- Districts of Kamouraska and Ottawa, how and when to be formed, *ib.*
- Proviso as to pending suits in new districts, s. 11.
- Sheriffs and prothonotaries, and other officers, may be appointed in new districts, s. 12.
- Sheriffs of old districts and prothonotaries of former courts of Q. B., to be officers of superior court, *ib.*
- Prothonotaries may appoint deputies and how, *ib.*
- Sessions of the peace when, how, and by whom to be held in new districts, *ib.*
- Circuit judges when to act as judges of superior court in Gaspé and Kamouraska,—Acts as such to be valid out of said districts, s. 13. *But see below*, 16 V. c. 194, s. 14, and 19, 20 V. c. 55, s. 2.
- Terms of court, where to be held, s. 14.
- Actions where may be commenced. *See also, as to real actions*, 14, 15 V. c. 60, s. 1.
- Court to be held by not more than 3 or less than 2 judges, s. 15.
- Quorum, two; if equally divided, case to be reheard, *ib.*
- See also* 16 V. c. 194, s. 34.
- Who to preside, *ib.*
- Court when and where to be held, Montreal and Quebec, s. 16. *But see below* 16 V. c. 194, s. 2, as to Three-Rivers, Sherbrooke and Gaspé.
- Days to be reckoned inclusively, *ib.*
- At Kamouraska and Aylmer, when to commence, *ib.*
- Court may prolong terms, *ib.*
- What judges to hold terms at Gaspé, *ib.*
- Sect 17, (Weekly sittings) is repealed.
- Jurisdiction of Court determined, s. 18.
- WRITS AND PROCESS, how styled, sealed, signed and tested, not to be void for wrong or no seal,—may be in either English or French, s. 19.
- Prothonotary may receive necessary affidavits but not to prevent judge from so doing, *ib.*
- Writs of summons to be directed to bailiff, but if to be executed in another district, must be addressed to sheriff, as must also certain other writs, s. 20. Copies how certified, s. 20. *And see* s. 93.
- Writs issued before this act, how returnable, s. 21.
- Juridical days—what to be deemed, s. 22.
- Defendant not to be called in open court, s. 23.
- Defendant when and how may appear, *ib.*
- Default, effect of,—when to be recorded, *ib.*
- What delay to be between service and return, *ib.*
- Personal appearance,—effect of, *ib.*
- Default to appear, how may be set aside, s. 24.
- Pleading—delay for s. 25. *But see below*, 16 V. c. 194, ss. 10 and 21.
- Foreclosure how and when obtained, *ib.*
- What notice party foreclosed entitled to, *ib.* *And see below* 16 V. c. 194, s. 8.

ADMINISTRATION OF JUSTICE, (IN CIVIL CASES),

- Foreclosure, delay for—how may be enlarged, s. 26.
Enquêtes—how, when and where taken, s. 27. *But see below* 16 V. c. 194, s. 5, and *seq.*
Enquêtes—Circuit Judges to be *commissaires enquêteurs* in certain cases, s. 28.
Enquêtes—days of, s. 29. *But see below* 16 V. c. 194, s. 5—7.
Enquêtes—Court may order in any district, and how, s. 30.
Commission Rogatoire, preceding section not to prevent the issuing of, in or out of L. C., s. 31.
 Jurisdiction, original—over *ca. re*, jury trials, suits where Three-Rivers, Sherbrooke, or circuit judge is party. Proviso as to option of jury trial, and costs, s. 32.
 Jury trials, how and when may be held, s. 33.
 Jury trials may be ordered in any district, s. 34.
 Verdict how be returned, *ib.*
 Jury trials may be ordered in Circuit Court when list of jurors made—verdict to be returned to Superior Court, s. 35.
 Judgments, appealable, to be *motivés*. Concurrence and dissent of judges to be recorded, s. 36.
 Appeal and writ of error to Q. B. in what cases allowed, s. 37.
 Records, &c. of former courts of Q. B. how to be transmitted to Superior Court, s. 38.
 Actions to whatever amount, &c., pending in courts of Q. B. to be transferred to S. C.—exception, s. 39.

CIRCUIT COURT.

- Records, &c., of inferior term of Q. B., to be transmitted to Circuit Court at same place, s. 40.
 Action, &c., in same to continue in circuit court, s. 41.
 This and preceding section to apply to 11 V. c. 4. (Certain judgments of K. B. rendered executory), *ib.*
 Circuit court established in each circuit, s. 42.
 Circuit court not to be deemed a new court, *ib.*
 Judges of—who may be, to be for all L. C.—residence—number limited to nine, s. 43. *But see below* 19 and 20 V. c. V. c. 55, s. 9.
 Vacancies how to be filled, s. 44.
 Judges of—to be *ex officio* justices of the peace and chairmen at Quarter Sessions, *ib.*
 Judges of—not to practise at the bar, *ib.*
 Court of Quarter Sessions not incompetent by reason of absence of, s. 45.
 Act 6 V. c. 3, (Qualification of justices) not to apply to, *ib.*
 Judges must be advocates of 5 years standing, s. 46.
 Jurisdiction,—not over £50 currency, and cases in which *ca. res.* issues, excepted, s. 47. *But see below*, 18 V. c. 104, as to *Montreal and Quebec*.
 To be summary up to £15 cy., and in good conscience up to £6 5s., *ib.*
 Certain actions evocable to Superior Court, *ib.*
 Evocation, plaintiff may make, if defence impeaches his title or future rights, s. 48.

ADMINISTRATION OF JUSTICE, (IN CIVIL CASES),

Actions in, where may be commenced, s. 49. *And see as to real actions*, 14, 15 V. c. 60, s. 1.

Proviso as to service.

Writs of summons, form of,—what delay between service and return,—by whom to be served,—copies how certified,—when to be executed in another district, s. 50. *But see below*, 16 V. c. 195, s. 1.

Writs and process, how styled, signed, sealed and tested,—may be in either English or French, s. 51.

Writs and process, issued in inferior term of Q. B., how returnable,—how in non-appealable cases, s. 52.

Appeal, to Superior Court in ordinary suits over £15 cy.; in certain, over £10 cy., s. 53.

What security to be given, when and before whom and how, s. 54.

Who may be surety, how to justify, *ib.*

In what cases appellant need only give security for costs and damages, *ib.*

Proviso as to amount to be returned by respondent in latter case, if judgment reversed, *ib.*

Appeal to be summary by petition, how served, when to be presented,—delay how computed, s. 55.

Copy of appeal bond to accompany petition, *ib.*

Record in appeal how transmitted to Superior Court and subsequent proceedings thereon, s. 56.

Judge appealed from not to sit, *ib.*

On equal division, judgment to stand affirmed, *ib.*

When appeal shall be deemed abandoned, *ib.*

In non-appealable cases on default of defendant to appear and subsequent proceedings, s. 57.

If plaintiff make default, action to be dismissed, *ib.*

Plaintiff to have costs on establishing his demand, *ib.*

Pleadings in such cases to be oral or in writing, at option of defendant, s. 58.

Pleadings, if in writing when to be filed, *ib.*

Pleadings, no answer necessary, *ib.*

Pleadings, if oral how recorded, *ib.* *And see section 60.*

In appealable cases, pleadings to be in writing, s. 59.

Same delay allowed as in Superior Court, *ib.* *But see below* 16 V. c. 194, s. 20, and 18 V. c. 104.

Evidence how to be taken in non-appealable and in appealable cases, s. 60. *But see below* 18 V. c. 104, s. 4, and 19, 20 V. c. 55, s. 10.

Enquête, when and how to be held, *ib.* *But see below* 16 V. c. 194, s. 9.

Enquête, evidence may be taken orally by consent in any case, *ib.*

Enquête, judge of Superior Court when to preside at, *ib.*

Such judges not to be thereby disqualified from sitting in appeal, *ib.*

Enquête may be ordered to be taken in another circuit,—sections 30 and 31 to apply, s. 61.

Witnesses, not bound to attend circuit court, if resident beyond 15 leagues, s. 62. *But see* 18 V. c. 9, s. 5.

ADMINISTRATION OF JUSTICE, (IN CIVIL CASES),

- Writs, certain issuable by circuit court, how returnable; clerk of Circuit Court may receive necessary affidavits, s. 63.
- Clerk of Circuit Court may issue certain writs returnable into Superior Court; how to be addressed and executed, *ib.*
- Sheriff, when responsible, *ib.*
- Declaration how to be served in such cases, *ib.*
- Bail, how may be given, *ib.*
- Judges and officers of, to have similar powers to those of Superior Court, &c., in certain matters, s. 64. *And see below 16 V. c. 194, s. 14.*
- Recusation or incompetency of circuit judge, s. 65.
- Action how proceeded with in such case, *ib.*
- Judgment may be levied by instalments, s. 66.
- Total delay not to exceed 3 months, *ib.*
- On default to pay, execution how may issue, *ib.*
- Costs, clerk's certificate of, sufficient,—need not be taxed by judge, s. 67.
- Writ of execution need not be endorsed, *ib.*
- Fees to be as per tariff, s. 68.
- Penalty of £20 cy. for taking greater; how recovered and applied, *ib.*
- Tariff to be posted openly with notice of penalty,—clerk neglecting guilty of misdemeanor, s. 69.
- Execution,—when may issue, how addressed and returnable, s. 70.
- Bailiff not to be entitled to any commission, *ib.*
- Execution to go only against moveables in judgments under £10 cy. unless hypothecary, *ib.* *But see 18 V. c. 3, s. 27;* Against immoveables, how issued and executed; to be returned into S. C., ulterior proceedings, oppositions, &c., how governed, *ib.*
- Execution into other districts,—*alias* writ how issued, directed and returned, ulterior proceedings how governed, s. 71. *But see below 16 V. c. 195, s. 3.*
- Proviso as to property *délaissée*, *ib.*
- When execution returned into Superior Court from C. C. Superior Court may send for record, s. 72.
- Opposition to writs *de bonis* how and where returnable, s. 73. (*But see below 18 V. c. 104, s. 8.*) Record how removed if necessary. Duty of bailiff on receipt of,—ulterior proceedings,—*fiat* to stay proceedings may be made by any circuit judge, *ib.*
- Same powers vested in Circuit Judges as in Superior Court with regard to certain matters requiring dispatch, but appointment and orders liable to be set aside by S. C., s. 74.
- Clerks of C. C. how appointed, s. 75.
- May appoint and remove deputy, *ib.*
- Minors above 14, may sue for wages under £6 5, s. 76.
- Circuits, where and when held. Extent of, s. 77. *But see below 12 V. c. 39, and 16 V. c. 194, ss. 3, 12 and 35.—19 20 V. c. 55, s. 5.*
- Governor in Council, how may alter terms in Superior or Circuit Courts by proclamation—effect thereof, *ib.*
- See also 19 and 20 V. c. 55, s. 4.*

ADMINISTRATION OF JUSTICE, (IN CIVIL CASES),

- Proviso as to suits and returns at places where Circuit Court will no longer be held after this act, *ib.*
 Change of limits of circuits, not to affect pending suits, s. 78.
 Return days, what, in appealable, and in non-appealable cases, s. 79.
 Judge to have power to prolong term, *ib.*
 Clerk, when may receive returns, &c., *ib.*
 Sessions of the peace, when to be held in certain circuits, s. 80.
 Clerk of the Peace to be appointed, *ib.*
 Who to hold the Sessions, *ib.*
 Commissioners courts under 7 V. c. 19, abolished in Quebec, Montreal and Three-Rivers, s. 81.
 Suits pending to be continued and returned into Circuit Court, *ib.*

- MISCELLANEOUS PROVISIONS.

- Amount demanded to govern in questions of jurisdiction or appeal, and amount recovered as to costs, s. 82.
 Confession of judgment how made in Superior and Circuit court, s. 83.
 If confession be not accepted and no more recovered; plaintiff liable for all costs incurred after, s. 84.
 Facts alleged and not denied to be deemed admitted, s. 85.
 Cost of proving any facts to be at discretion of court, *ib.*
 Pleadings,—ordinary rules of construction to apply, s. 86.
 Pleadings,—court may allow amendment to meet the facts proved up to judgment, *ib.*
 No form of action, or particular words requisite in any pleading, but to be *bonâ fide*, s. 87.
 Jury trial, allowed only in suits over £20 currency, s. 88.
Faits et articles may be had in commercial cases, s. 89.
 Sunday or holiday,—when thing to be done falls on, to be done on next juridical day, s. 90. *And see also* 12 V. c. 10, s. 5, *parag.* 12.
 The £1 sterling in judicature Acts, to be held equal to £1 4s. 4d. currency, s. 91.
 Intervention, demand in, how filed, s. 92. *But see below* 16 V. c. 194, s. 22.
 Writs to be executed in different districts, how addressed,—one original for each district,—not to affect *alias* writs, s. 93. *But see below* 16 V. c. 195, s. 2; *and as to* Circuit Court writs, *see* 16 V. c. 195, s. 4.
 Absentees, proceedings to be adopted in suits against, s. 94. *But see* 14, 15 V. c. 60, s. 3.
 Lessor and lessees Acts, powers under 3 W. 4, c. 1, and 2 V. (3), c. 47, vested in any one Superior or Circuit Court judge, s. 95. *But see* 18 V. c. 108, s. 1, *repealing these Acts, and making new provisions.*
 Lessors and lessees,—in case of execution, landlord not to prevent sale, but to file opposition *à fin de conserver*, s. 96.
 Duty of bailiff on receiving any opposition, *ib.*
 Recognizances to the crown, how to be enforced, s. 97.
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Habeas corpus powers vested in Superior and Circuit courts and judges concurrently with other courts, s. 98.

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- Judges, how liable for refusing writ in vacation, *ib.*
 Proceedings, how regulated; when anything is ordered to be done in another district, s. 99.
 Tariffs and rules of practice,—superior court or six judges thereof, to make, s. 100. *But see* 18 V. c. 98, s. 8.
 How authenticated; may be amended,—not to be inconsistent with any law, *ib.*
 Attorneys practising in any circuit, to elect domicile within one mile of court house, otherwise service good at clerk's office, s. 101.
 Commissioners for receiving affidavits in superior court, to receive the same in Circuit Court, s. 102.
 Prothonotary, clerk or deputy not to practise at the bar, s. 103.
 Bonds given by them to remain in force,—those hereafter appointed to give security,—when and to what amount, s. 104.
 Bailiffs—present, continued in office,—their security to remain in force and to avail as to past acts;—may be removed, s. 105.
 Who may be in Kamouraska and Ottawa, s. 106.
 To act only in their own districts;—how removeable, s. 107,
 Those hereafter appointed to give security—how and to what amount, s. 108. *But see below* 18 V. c. 109.
 Duty of Prothonotary, *ib.*
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 Bailiffs and sheriffs of S. C. to be officers of C. C., s. 109.
 Bailiffs serving writs—incompetent as witnesses, except as to service, s. 110.
 Bailiffs and officers, guilty of extortions or misconduct, how proceeded against, s. 111.
 Liable to imprisonment for non-compliance with sentence, *ib.*
 Salary of circuit judges not to exceed £550 cy., s. 112. *But see* 18 V. c. 89, s. 1, *fixing limit at* £650 cy.
 Interpretation Act to apply, s. 113.
 If any case omitted in this Act, provision to be made by rule of practice, *ib.*
 Court-houses and gaols Ordinance,—(4 V. c. 20) to apply, s. 114.
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 Schedule A,—form of writ in Circuit Court.
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14, 15 V. c. 88—1851.

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 Leave of absence to judge of Q. B. for more than two months to be notified by letter to clerk of Appeals by provincial secretary, *ib.*
 Letter to be filed and registered by clerk, *ib.*
 Clerk of Appeals when to record fact of judge being unable to sit, s. 2.
 Judges of superior court empowered to act as judges of Queen's Bench in such cases, *ib.*
 Cause heard before 3 judges of Queen's Bench, when may be ordered to be reheard; provision in case a fourth judge cannot sit at such rehearing, s. 3.

ADMINISTRATION OF JUSTICE, (IN CIVIL CASES),

Délibéré may be discharged when necessary by any one judge not incompetent to sit, s. 4.

Words "judges of superior court," to include chief justice s. 5.

Such judges to act as judges of Queen's Bench when required, *ib.*

How to be notified, *ib.*

Removal or disqualification, &c., of judge of Queen's Bench, not to affect powers of judge supplying his place, s. 6.

Provisions of this Act to apply to case of latter judge not being able to sit, *ib.*

Act to apply to pending appeals as well as others, s. 7.

Exemplification of judgment of privy council to be registered by clerk of appeals without order of court and when, s. 8.

Record also to be remitted to court below,—exception, *ib.*

Proviso: This section not to extend to past judgments of privy council, *ib.*

16 V. c. 194—1853.

Act amending 12 V. c. 38.

Sec. 17 repealed, s. 1.

Weekly sittings in superior court, abolished, *ib.*

Court may name a day out of term for giving judgment, *ib.*

So much of sect. 16 repealed as fixes the times of holding terms in superior court at Montreal and Quebec, s. 2.

Terms to be held as in schedule A. They may be prolonged, *ib.*

So much of sect. 77 repealed as fixes times of holding terms in circuit court at Montreal and Quebec, s. 3.

Terms to be held as in schedule B., *ib.*

Proviso—preceding sections not to affect Governor's power to alter terms, s. 4.

Governor may increase terms in any circuit to not more than 4, *ib.* But see also 19, 20 V. c. 55, s. 4.

Non obst. sec. 29 of said act, superior court to fix *Enquête* days.—not to be less than a certain number, s. 5.

Enquête days, when days in term may be, s. 6.

In default and *ex parte* cases, all juridical days (except from 9th July to 1st Sept.) may be, s. 7.

Witnesses how sworn, &c., in such cases, *ib.*

Enquêtes ex parte, party foreclosed not to adduce evidence but may cross-examine and object to evidence, s. 8.

Enquête days, in appealable cases, circuit court to be fixed on days out of term—and how, s. 9. But see below 18 V. c. 104, s. 4, and 19, 20 V. c. 55, s. 10.

Witnesses how sworn, *ib.*

Duty of clerk as to objections, *ib.*

What notice necessary, *ib.*

Pleading—delay for—not to run between 10th July and 31st August, inclusive, in superior court at Quebec and Montreal; but such vacation not to prevent return of writs, &c., or excuse party from obeying order of court, s. 10.

Foregoing enactments to take effect on 9th July, 1853, s. 11.

Writs returnable in former terms, how and when to be returned, *ib.*

ADMINISTRATION OF JUSTICE, (IN CIVIL CASES),

New circuits established and described in districts of Quebec, Three-Rivers, Kamouraska and Gaspé, s. 12.

Portions of old circuits included in such new circuits to be detached—not to affect pending cases, *ib.*

Section 12 to come into force on 1st October, 1853, s. 13.

When officers may be appointed, *ib.*

Section 13 of 12 V. c. 28, in part repealed,—circuit judges may exercise powers of superior court judges at all times in Ottawa and Kamouraska, s. 14. *Aud see* 19, 20 V. c. 55, s. 2.

Judge of superior court when may hear and give judgment in vacation, Montreal and Quebec excepted, s. 15.

Recourse of party aggrieved by such judgment, *ib.*

Rules of practice may be made under this section, *ib.*

In Gaspé two circuit court judges may hold superior court *non obst.* 12 V. c. 40, s. 16.

On difference of opinion cause to be heard before superior court at Quebec; proceedings to be adopted, *ib.*

Rules of practice may be made under this section, *ib.*

Saisie arrêt, before and after judgment, when executed in another district, *tiers saisi* how to answer, s. 17.

Saisie arrêt,—contestation may be had where action originated, *ib.*

Tiers saisi may declare before prothonotary on or before return day, in district where he resides, *ib.*

Declaration of *tiers saisi* to be transmitted to place where writ issued, default how certified, s. 18.

Exigency of writ; default how and when recorded; what notice necessary to plaintiff.—If declaration made before return day, s. 19.

Pleadings, delay for to be 5 days in circuit court instead of 8, *non obst.* 12 V. c. 38, ss. 29 and 59, s. 20.

Certain pleadings to be filed within 4 days.

Not to preclude subsequent filing of others, s. 21.

Intervention, demand in,—12 V. c. 38, s. 92 amended, s. 22.

Folle enchère, provisions as to deposit to be made by bidders, s. 23.

Bid not to be regarded if without deposit, s. 24.

What deposit may be required at third sale, and how, s. 25.

Plaintiff may authorize sheriff to receive bids without deposit, and how, s. 26.

When deposit may be ordered before first adjudication, s. 27.

Deposit to be returned to bidders not becoming purchasers, s. 28.

Fol adjudicataire liable for what damages and *contrainte par corps*, s. 29.

Contrainte how ordered and duration, s. 30.

Garantie, actions *en,—arrière garant* may be called in, in first instance,—proviso,—s. 31.

Judgments in superior court when may be given in the absence of a judge who was present at hearing, s. 32.

Vacation of superior court, proceedings in,—begun by one judge may be continued by another, s. 33.

Vacation of superior court, proceedings in,—if before two judges who differ, they may call in a third, s. 34.

ADMINISTRATION OF JUSTICE, (IN CIVIL CASES),

Acton and part of Upton included in St. Hyacinthe circuit and county, s. 35.

Act to commence on 1st August, 1853, except as specially provided, s. 36.

Schedule A, terms of superior court at Quebec and Montreal.
Schedule B, terms of circuit court at Quebec and Montreal.

16 V. c. 195—1853.

Circuit court, writs of summons to be executed in another district may be addressed either to bailiff or sheriff, s. 1, (amending 12 V. c. 38, s. 50).

Preceding section to apply to 12 V. c. 38, s. 93, s. 2.

Alias writ *de bonis* to be executed in another district may be addressed either to bailiff or sheriff, s. 3, (amending 12 V. c. 38, s. 71).

Bailiff, duty of, to whom writ is addressed, s. 4.

He shall be liable in damages for neglect and sureties holden, s. 5.

And *contraignable* for money levied, to circuit court whence writ issued, s. 6.

16 V. c. 211—1853.

Circuit court declared the court of review in appeal from municipal by-laws, s. 1.

Right to appeal from certain by-laws within fifteen days (*Effete*) s. 2.

Appeals pending in superior court to be continued therein, s. 3.

Act not to allow other appeal than could be made previous thereto, s. 4.

Section 5 is repealed by 18 V. c. 100, s. 5.

18 V. c. 104—1855.

Circuit court at Quebec and Montreal to cease to have jurisdiction in cases above £15 cy. on 1st July, 1855; such suits to be brought in superior court, s. 1.

Such suits now pending to be transferred to superior court, s. 2.

Costs to continue the same unless altered, s. 3.

Appealable cases,—evidence in, how taken in circuit where there is no resident judge, s. 4. *But see below* 19, 20 V. c. 55, s. 10.

Fair copy of notes of Judge to be made by clerk, to form part of record, s. 5.

Hearing—after *enquête* closed how fixed, what notice necessary and when, s. 6.

Inscription for hearing notice of how given, s. 7.

Oppositions to executions *de bonis* in circuit court to be returnable in circuit where cause pending, s. 8.

Who may administer necessary oaths, *ib.*

Circuit court to have jurisdiction whatever the amount of, *ib.*

Certiorari, writs of—circuit court to have concurrent jurisdiction with superior court, s. 9.

Inconsistent laws repealed, s. 10.

For 18 V. c. 109, *see title* Bailiffs.

For 18 V. c. 166, *see title* St. Francis.

ADMINISTRATION OF JUSTICE, (IN CIVIL CASES),

19, 20 V. c. 55—1856.

Judgments in circuit court may be read by clerk when judges prevented from rendering the same, and when, s. 1. To have full force from day on which so read, *ib.*

Powers given to judges of superior court by section 15 of 16 V. c. 194, extended to circuit court judges in districts of Kamouraska and Ottawa while exercising power of superior court judges, s. 2.

President of sessions, or if none, prothonotary, in case of absence of resident judge of superior court in districts of Quebec and Montreal, may perform all duties which such judge can perform out of term, s. 3.

Governor in council may alter the number, time of holding, and duration of terms in circuit court, *non obst.* s. 77 of 12 V. c. 38, and how, s. 4.

Governor in council how and when may declare that certain tracts form, s. 5.

Circuits,—Limits of and where to be holden, viz: circuits of Pontiac, Lochaber, Argenteuil, Soulanges, Huntingdon, Montcalm, Joliette, Drummond, s. 6.

Pending actions not to be affected by creation of new circuit, s. 7.

Circuit clerks, how may be appointed in such circuits; deputies, s. 8.

Governor may appoint additional circuit judge with like powers as the rest, s. 9.

Circuit judge, in circuit where no resident judge may order on application of plaintiff, that evidence be taken as formerly, s. 10. *Non obst.* 18 V. c. 104, s. 4.

Sec. 11 of 18 V. c. 166, repealed, s. 11.

Short title of act, s. 12.

For the acts relative to Commissioners courts, *see* Commissioners Courts. *See also* Criminal Law, administration of—Admiralty—*See also the Supplement, for a general list of titles connected with the administration of justice.*

ADMINISTRATORS,

9 G. 4, c. 20—1829—191.

Their duty and liability on confirmation of titles, s. 7.

8 V. c. 42—1845.

Their duties, &c., as to commutation under this Act, ss. 18, 19, 24. *But see* 18 V. c. 3, ss. 1 and 35, and 19, 20 V. c. 53.

18 V. c. 3—1854.

How they may redeem *rentes constituées* under this (Seigniorial tenures abolition) Act, s. 24.

See also Curators—Trustees—Tutors.

ADMIRALTY,

12 V. c. 37—1849.

Court of Queen's Bench, crown side—not to have jurisdiction over offence cognizable only by court of Admiralty, s. 24.

12 V. c. 38—1849.

Jurisdiction reserved from superior court, s. 6.

ADMIRALTY (VESTING ACT),

14, 15 V. c. 67—1851.

- All government docks, dock-yards, arsenals, piers, &c. to be vested in the admiralty commissioners, except lands and buildings purchased or erected with provincial funds, s. 1.
- Upon the death or resignation &c. of the Lord High Admiral, property to vest in successor, s. 2.
- Other public lands may be granted to the commissioners in trust as aforesaid, s. 3.
- Existing leases, &c. confirmed, s. 4.
- Commissioners empowered to sell, s. 5.
- Application of proceeds, s. 6.
- May enter upon and survey lands, s. 7.
- May make contracts, and take conveyances, leases, &c. s. 8.
- Parties empowered to sell to, s. 9.
- Commissioners may give lands in exchange, s. 10.
- Lands hereafter purchased to be vested in the commissioners, s. 11.
- Compensation for lands taken, how to be fixed, s. 12.
- Parties interested to send in claims within three months after notice, s. 13.
- Commissioners authorized to remove any buildings erected by them on leased lands, s. 14.
- Proceedings to be had if parties refuse to agree upon compensation, s. 15 to 20.
- Costs in such proceedings, s. 21.
- Commissioners may require proof in support of lessee's claims, s. 22.
- Purchase or compensation money how to be paid, s. 23.
- How dealt with where parties have not the absolute interest, s. 26.
- When not more than £25, s. 27.
- Moneys how dealt with when parties absent or refuse to convey upon payment or tender, s. 28.
- Commissioners authorized to take possession, s. 29.
- Party in possession to be deemed lawfully entitled unless contrary shewn, s. 30.
- Provision as to payment of costs, s. 31.
- When money deposited, land to be released from rent, s. 32.
- Provision for apportionment of rent where lands are leased jointly with other lands, s. 33.
- Where part only of leased lands required, s. 34.
- Where lands taken are of less value than the mortgage thereon, s. 35.
- Form of conveyance, s. 36.
- Commissioners authorized to stop up or divert roads, providing others, s. 37.
- How substituted roads to be kept in repair, s. 38.
- Provision for canals or railroads through lands reserved for military or naval purposes, s. 39.
- Tenants to quit on receiving three months' notice, s. 40.
- Claims may be referred to arbitration, s. 41.
- Notice of action for things done under this act, s. 42.
- Appeal from verdict of jury to lie to superior court, s. 43.
- As to enrolment of deeds to commissioners, s. 44.

ADMIRALTY (VESTING ACT),

- How lands may be freed from seigniorial charges, s. 45.
 Commissioners authorized to sue and be sued, s. 46.
 Action not to abate in certain cases, s. 47.
 How service made upon the commissioners, s. 48.
 Commissioners may recover costs, s. 49.
 Saving clause of Her Majesty's rights, s. 50.
 Name and style of commissioners in deeds, &c., s. 51.
 Commissioners authorized to give notice to tenants, &c.,
 s. 52.
 Commissioners not to be personally liable for contracts,
 s. 53.
 Jurisdiction of courts, s. 54.
 Property to be vested in Lord High Admiral when there
 shall be one, &c., s. 55.
 Powers given by this act may be exercised by deputy, s. 56.
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ADMISSIONS. *See* Confession.

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ADVANCES,

Fraudulently disposing of goods after receiving advances on
 them, *see* Consignee.

ADVENTISTS, *See* Second Adventists.

ADVERTISING FOR STOLEN PROPERTY,

4, 5 V. c. 25—1841.

Promising that no inquiry shall be made, how punishable,
 s. 51.

ADVOCATE, ATTORNEY,

7 V. c. 19—1843.

When party, not an, may act in commissioners court, s. 32.

10, 11 V. c. 13—1847.

Exempt from serving on juries, s. 22.

12 V. c. 37—1849.

Neither clerk of appeals or deputy to practise as, while in
 office, s. 13.

12 V. c. 38—1849.

Circuit court judges not to practise as, s. 44.

Penalty £20 on, for taking larger fee than allowed by tariff,
 s. 68.

Practising in any circuit to elect domicile there, s. 101.

Prothonotary, clerk or deputy not to practise as, while such,
 s. 103.

12 V. c. 44—1849.

Actions by, for fees prescribed after 5 years, s. 2.

Prescription from what date to run, *ib.*

13, 14 V. c. 37—1850.

To be suspended from right of practising in default of pay-
 ment of law reporting tax, within 2 months after judg-
 ment rendered, s. 16.

ADVOCATE, ATTORNEY,

14, 15 V. c. 95—1851.

Complainant and defendant may appear by, in matters of summary conviction, s. 11.

18 V. c. 100—1855.

Income of, to be assessed for municipal purposes, except in cities of Quebec and Montreal and town of St. Hyacinth, s. 70, par. 2. *See also* Bar—Counsel.

ADVOCATES' LIBRARY, of Montreal,

Incorporated, 3, 4 V. c. 48.

Ordinance incorporating, amended 13, 14 V. c. 122.

ADVOCATES' LIBRARY, (Quebec,

Incorporated, 3, 4 V. c. 49.

ÆDE—LAW,

16 V. 204—1853.

Whereby landlord might take possession for his own use of house leased, before expiration of lease, repealed, s. 1.

Henceforth right must be expressly reserved and one month's notice given, *ib.*

AFFIDAVITS,

48 G. 3, c. 22—1808.—116.

Commissioners to receive, may be appointed by any two judges of K. B. (*power transferred to superior court by 12 V. c. 38, s. 8*), s. 5. *And see 19, 20 V. c. 88, as to those to be taken in Upper Canada to be used in Lower Canada.* To be as valid as if taken in court, *ib.*

12 V. c. 38—1849.

Commissioners for taking, in superior court, to be so for circuit court, s. 102.

12 V. c. 77—1849.

Commissioners may be appointed in Lower Canada by Superior Courts in Upper Canada in matters pending, ss. 1 and 3. And for proving deeds and memorials, s. 2.

19, 20 V. c. 88—1856.

Judges of superior court for Lower Canada may appoint Commissioners in Upper Canada to receive affidavits to be used in courts in Lower Canada, s. 1.

Such commissioners may receive proof of execution of deeds, &c. to be used in Lower Canada, s. 2. *See also* Attachment—Capias—Debtors, &c.

AFFIRMATION,

33 G. 3, c. 4—1793.—608.

Quakers permitted to make, in lieu of oaths in civil cases, s. 1.

False, to be equivalent to perjury, s. 3.

Quakers not to give evidence in criminal cases, s. 5.

See Oaths.

AGENTS,

10, 11 V. c. 10—1847.

- For the better protection of persons dealing with.
 Contracts for sale of goods by agents entrusted with possession to be valid, s. 1.
 Agents to be deemed owners so as to entitle consignee to lien for monies advanced, &c., s. 2.
 Case of pledge or lien in consideration of delivery other goods, &c. on which the party delivering has a lien, provided for, s. 3.
 Act not to extend to cases where the party has notice that the agent has no power to pledge, &c., s. 4.
 Nor to antecedent debts of any agent, *ib.*
 Nor justify agent in departing from express orders, *ib.*
 What shall be deemed documents of title, s. 5.
 Agent possessed of such documents to be deemed in possession, &c., *ib.*
 Pledging of documents to be pledging of goods, *ib.*
 Advances made *bonâ fide* to agent in possession, without express notice that agent was not authorized to pledge, &c., to be within the act, although goods received afterwards, *ib.*
 Contracts made with agent's clerk, &c. to be deemed contract of agent, *ib.*
 Payments in bills of exchange, &c. to be deemed advances, *ib.*
 Possession of agent to be deemed lawful unless the contrary be shewn, *ib.*
 Agent's responsibility to his principal not to be affected, s. 6.
 Agent's pledging goods, &c. for his own benefit *malâ fide* and contrary to instructions, to be a misdemeanor, and how punishable, s. 7.
 Clerk aiding or abetting, *ib.*
 Agent not liable for pledging goods not exceeding amount due to him, *ib.*
 Owner's right to redeem not to be affected nor to recover the balance, s. 8.
 See also Consignee—Embezzlement—Unclaimed Goods.

AGRICULTURE,

13, 14 V. c. 40—1850.

- To remedy abuses prejudicial to.
 6 W. 4, c. 56, and 30 G. 3, c. 4, repealed; but Acts repealed by them not to revive, s. 1.
 Trespass,—penalty and damages for, how recoverable, owner or servant may arrest without warrant in such case, s. 2.
But see below 14, 15 V. c. 102.
 Fences, &c., penalty for destroying, or leaving open gates, taking away skiff, canoe, &c., or burning wood on land, penalty for and damages how recovered, s. 3.
 Justice, on complaint on oath to issue warrant, proceedings thereon, penalties how enforced,—evidence, s. 4.
 Squatter, offender being one, may be committed for not over sixty days, s. 5.
 Trespass, by domestic animals, how complained of, s. 6.
 Duty of justice and road surveyor, &c., *ib.* *But see below* 16 V. c. 210, s. 1.

AGRICULTURE,

Witnesses, justice may summon, how and by whom may be sworn, s. 7.

Animals, not to stray on public or private lands or ways, penalties, &c., s. 8.

Animals,—proprietors, occupiers or road surveyor when may seize and impound, proceedings in such cases, s. 9. If not claimed within certain time, may be sold and how, proceeds how applied, *ib.*

But see Municipal Act 18 V. c. 100, s. 23, par. 3.

Bids of strangers or insolvent persons may be refused by road surveyor unless security given, &c., s. 10.

Cattle pasturers to be responsible for damages done by cattle in their possession, complaint how and where may be served, s. 11.

Dogs, when to be shut up under penalty and when killed, proceedings with regard to, s. 12.

Dogs worrying sheep may be killed by occupier of field or servant, where found, or complained of,—penalty, s. 13.

But see 18 V. c. 100, s. 23, par. 5.

Pigs, &c., at large without a ring, penalty for allowing, s. 14. Pound-keepers, when fine and keep paid, bound to deliver under penalty,—penalty for rescuing animals impounded, s. 15. *But see 18 V. c. 100, s. 23, par. 3.*

Fences, ditches, &c., road surveyors to be inspectors of, unless others appointed; to take oath required; by 10, 11 V. c. 7, ss. 16, 17.—*But 10, 11 V. c. 7 is repealed.*

Découverts—proprietors of cultivated lands may compel owners or tenants of adjoining lands to make,—and how—penalty for neglect, s. 18.

Road surveyor or overseer, penalty against, for neglect of duty, s. 19.

Water courses, &c., to be opened and cleansed yearly on or before 15th July—penalty, s. 20. *But see 18 V. c. 100 s. 15, par. 4.*

Road surveyor to visit and examine drains, and when required, mode of examination and notice to repair—penalty—also as to sufficiency of fence, s. 21.

How, if fences and drains are not repaired within time fixed, s. 22. *But see 18 V. c. 100, s. 15, par. 4.*

Bridges over water courses—road surveyor to determine by whom to be kept up, and how, s. 23.

Fences—new—when and how ordered to be made, s. 24.

Travaux mitoyens, road surveyor to determine respecting joint labour, &c., s. 25.

Road surveyor to inspect water courses, &c., regulated by *procès-verbal*, agreement or direction of municipal council, when required and how, s. 26.

Water courses, how to be opened, enlarged, &c., when common to several, s. 27.

Notice of visit by road surveyor how to be given, s. 28.

Proceedings after,—*procès-verbal* and homologation, case of difference, s. 29.

Drainage of high and low lands regulated, s. 30.

Overseers of joint work, how appointed, &c.,—duties, s. 31. *But see below 16 V. c. 210, s. 2.*

AGRICULTURE,

Procès-verbal how posted and read—what to contain;—
opposition to homologation how made; custody of, after
homologation, s. 32.

Certain *procès* under 10, 11 G. 4, c. 1—3 W. 4, c. 31—6 W.
4, c. 56, to be null, unless homologated before justice
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Time how fixed within which work to be done under *procès*
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done in common, s. 34.

Allowance to road surveyors, *experts*, &c., for time lost, &c.,
s. 35.

Water courses, &c., in which inhabitants of different parishes
or townships are interested, disputes concerning regulated,
s. 36.

Apportionment of labor or value how made, and proceedings
thereon, s. 37.

Moneys due by reason of apportionment how collected; s. 38.

Water courses, &c., no change to be made in, where regu-
lated by *procès*, s. 39. *But see below* 16 V. c. 210, s. 3.

Appeals from decision of surveyor provided for, s. 40. *But
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Sale of lands, how and when made, where party refuses to
repair fences, &c., proceeds how applied, s. 41.

Deeds of secretary treasurer, *ib.*

Procès-verbal, certified copy of, where and by whom to be
deposited, s. 42.

Weeds, provisions concerning noxious, s. 43.

Weeds, unlawful to allow seed of, to scatter to prejudice of
any, s. 44.

Weeds on highways, &c., by whom to be destroyed, s. 45.
Penalty, *ib.*

Proprietors,—persons employed by companies or any party,
and receiving moneys on their behalf, to be liable as, s. 46.

Dead animals, how and by whom to be buried, s. 47.

Penalty, *ib.*

Filth, &c., penalty for throwing in brooks or on ice of
rivers, s. 48.

Actions for penalties how limited, s. 49

Lumber carried on lands by spring floods, how removed and
at whose cost, s. 50.

Fines how recovered and applied, s. 51.

Trial of offences under this act may be had, where accused
found in Lower Canada, s. 52.

Certiorari, writs of—how determined—costs, s. 53.

False swearing to be perjury, s. 54.

Inspectors, duties of, to be same as surveyors' when such are
chosen, as to water courses, s. 55.

Copy of act to be transmitted to every road surveyor, who
must transfer on retirement, s. 56.

Penalty for contravention of act by commission or omission,
how enforced, s. 57.

Justices may convict on view for offences under this act,
s. 58.

When incapacitated from acting, s. 59.

Act to commence 1st January, 1851, s. 60.

AGRICULTURE,

Schedule A, form of notice to cut down weeds.

Schedule B, form of order of justice on complaint for neglect to cut down such.

14, 15 V. c. 102—1851.

Banks of rivers in Lower Canada proper for floating-lumber, to be free to the public, *non obst.* section 2 of 13, 14 V. c. 40, s. 1.

16 V. c. 210—1853.

13, 14 V. c. 40, s. 6 amended,—justice may hear parties before ordering damages to be assessed, s. 1.

Water courses, how parties interested in, may elect one of themselves overseer *non obst.* section 31 of said Act, s. 2.

Procès-verbal, how parties interested in, referred to in section 39 of said act, may demand a change *non obst.* that section, s. 3.

Section 40 of said act amended—party aggrieved how to proceed, s. 4.

18 V. c. 100—1855.

Abuses prejudicial to, may be remedied by local municipal councils, s. 23, p. 3.

Query as to effect of 18 V. c. 100 (Municipal Corporations), (which see), generally, on the foregoing Acts. See also the several subjects treated of in the foregoing.

AGRICULTURAL PRODUCE,

4, 5 V. c. 26—1841.

Malicious destruction of, felony, s. 17.

AGRICULTURAL SOCIETIES,—AGRICULTURE,

16 V. c. 11—1852.

To establish Bureau of, and consolidate laws for encouraging.

Certain former Acts relating to agricultural societies repealed, s. 1.

Governor in council authorized to establish Bureau, with a minister at the head, s. 2.

Minister to be *ex officio* member of all local Boards, s. 3.

To receive applications for patents for inventions and keep records thereof, s. 4.

To be a member of the Board of Registration and Statistics in lieu of the Inspector General, s. 5.

To collect statistics relating to agriculture, s. 6.

Boards of agriculture and other public bodies to answer promptly official communications from the Bureau, s. 7.

BOARDS OF AGRICULTURE.

Board to be established for Lower Canada, s. 8.

Who shall be *ex officio* members of, s. 9.

Four members to retire annually, s. 10.

When remaining members to vacate, s. 11.

County agricultural societies, at their annual meetings in February, to nominate four members, s. 12.

Minister to decide in case of an equality of votes, s. 13.

AGRICULTURAL SOCIETIES,—AGRICULTURE,

- Members of the Board entitled to actual expenses only, s. 14.
- Meetings of the Board, how held, s. 15.
- Duties of the Board, s. 16.
- Copies of their by-laws to be transmitted to the Bureau, s. 17.
- Each Board to be a body corporate, s. 18.

AGRICULTURAL ASSOCIATIONS.

- How constituted, s. 19.
- Who shall be directors, s. 20.
- Annual fairs or exhibitions to be held, s. 21.
- Board of agriculture to be the council of association, s. 22.
- Contracts, &c., to be made with the Board of agriculture, s. 23.
- Municipalities authorized to grant money in aid of, s. 42.

16 V. c. 18—1852.

- 8 V. c. 53—9 V. c. 14, and 9 V. c. 24, repealed, s. 1.
- Proviso as to existing societies, *ib.*
- One society may be formed in each county and how, s. 2.
But see below 19, 20 V. c. 47, ss. 2, 3 and 7.
- Object of such society, and how to be promoted, s. 3.
- Annual meetings when to be held, s. 4.
- What officers and directors may be elected, *ib.*
- Officers and directors, term of office and powers of, s. 5.
- Annual report to be made by directors, s. 6.
- What to contain, *ib.*
- Also statements of receipts and disbursements, *ib.*
- Directors, duty of, as regards Board of agriculture, s. 7.
- Shows,—at least one to be held every year, s. 8.
- Prizes,—compensation of judges, *ib.*
- Shows, what may be substituted for, and when, s. 9.
- Salaries, none to be paid out of society's moneys, except 7 per cent to treasurer, s. 10.
- Separate society, when and how may be formed, s. 11.
- Separate society how to be known, its rights and powers, s. 12. *But see infra* 19, 20 V. c. 47, s. 2.
- Societies under this Act to be corporations; Powers, s. 13.
- Allowance from public moneys, when to be granted and to what amount, s. 14. *But see infra*, 19, 20 V. c. 47, ss. 5, 6.
- Allowance, board of agriculture to pay over such, and how, s. 15.
- Perjury,—officers making false affidavits to be guilty of, s. 16.
- Schedule A,—form of declaration for obtaining government grant.
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19, 20 V. c. 47—1856.

- Provisions of 16 V. c. 18, extended to new counties under Representation Acts of Lower Canada, s. 1.
- Each electoral county may have one society—exception—certain counties may have two, s. 2.
- Societies in certain counties to remain as organized, Drummond county to be divided to form two, and how, s. 3.

AGRICULTURAL SOCIETIES,—AGRICULTURE,

A limited sum may be applied for the encouragement of Horticultural societies, s. 4.

Allowance to any county not to exceed £200, like amount to be reserved for Upper Canada, s. 5.

Provisions as to grants where two societies in one county, s. 6.

Societies organized previous to this act to cease to exist on 1st January, 1857, except those in sec. 3, s. 7.

Proviso as to new societies, *ib.*

Provisions as to grants to new societies organized before 1st August, 1856; and new counties, s. 8.

Debts of old societies how to be paid, *ib.*

Sums subscribed to what society to be applied: Proviso, s. 9.

16 V. c. 18 to apply to horticultural societies, with certain exceptions, s. 10.

Parishes, &c., annexed to towns for representation purposes, to be deemed a county under this act: proviso, s. 11.

ALE HOUSES, *See* Taverns.

ALIENS,

31 G. 3. c. 1—1791—573.

Not to settle in any indian village without licence, unless oath of allegiance taken within certain time, s. 6.

1 W. 4. c. 53—1832—33.

Naturalization of—*Not repealed—but in force only as regards rights acquired under it. See the later acts below, applying to the whole Province and superseding this.*

4, 5 V. c. 7—1841.

Aliens domiciled on the 10th February, 1841, and resident seven years before or after, to be deemed natural born subjects, s. 1.

Temporary absence not to interfere, s. 2.

Right to hold and convey real estate to commence from time of residence, s. 3.

Oath of allegiance to be taken within twelve months, s. 4.

Minors to take the oath within twelve months after attaining sixteen years of age, s. 5.

False swearing to be deemed perjury, s. 6.

Manner in which oath to be administered to minors, s. 7.

Duplicate books to be kept—one to be deposited with the registrar, s. 8.

Provision in case of loss, ss. 9, 10.

Books to be verified by oath, s. 11.

Penalty for neglect £200, s. 12.

Alphabetical lists to be kept by registrar, s. 13.

Fees allowed on taking the oath, &c., s. 14.

Alien dying before taking the oath to be deemed a British subject as to real estate, s. 15.

Persons entitled in either part of the province to be privileged in both parts, s. 17.

Aliens not to be disturbed in their possession if resident on 10th February and under sixteen years of age, s. 18.

Claims through aliens not to be disturbed if derived before the passing of this act, s. 19.

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Other claims how to be dealt with, *ib.*

10, 11 V. c. 13—1847.

May serve only on a jury *de medietate linguæ*, s. 23.

10, 11 V. c. 112—1847.

Time for taking the oath of allegiance extended.

The foregoing Acts are not expressly repealed—but seem superseded by the 12 V. c. 197; things done and rights acquired under them remaining valid. The 8 V. c. 107, is expressly repealed, but with the reservation of rights acquired under it. These Acts may still affect Titles to land, &c.

12 V. c. 197—1849.

Act 8 (sometimes called 9) V. c. 107, repealed; but rights acquired under it saved, as aforesaid, s. 1.

Aliens resident before the 10th February, 1841, and their children, to be deemed naturalized on taking the oath of allegiance, s. 2.

Aliens resident on the 10th February, 1848, to be naturalized after seven years' residence on taking the oath of allegiance, s. 3.

Aliens residing or hereafter coming to reside, to be naturalized after seven (*now* five) years' residence, and taking an oath, s. 4.

Form of the oath in last mentioned case, s. 5.

May be taken before any justice, *ib.*

Certificate to be granted by such justice, *ib.*

Certificate may be recorded in certain courts, s. 6.

Effect of recording the same, *ib.*

Party entitled to certificate of naturalization, s. 7.

Form of such certificate, *ib.*

Copy may be registered in any registry office, and copy of such registry to be evidence, s. 8.

Aliens entitled to naturalization under the sections 2 or 3, may take the oaths and obtain certificates of naturalization, s. 9.

Wives of British subjects or of naturalized parties to be deemed also naturalized subjects, s. 10.

Fees payable under the act, s. 11.

Aliens, generally, may hold and transmit real estate, as natural born subjects, s. 12.

Privileges by this Act conferred to be enjoyed and exercised according to the British Imperial Act 11 V. for the naturalization of aliens, s. 13.

Act of U. C. 54 G. 3, c. 9, not to be affected, s. 14.

False swearing to be perjury, with forfeiture of privileges, s. 15.

18 V. c. 6—1854.

Period of residence required by section 4 of 12 V. c. 197, reduced from "seven" to "five years."

12 V. c. 198 (Donegani case)—1849.

Parties having complied with, maintained in their right, to property acquired from their parents being aliens, pos-

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41 G. 3, c. 7—1801.—112.

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ALLEGIANCE, OATH OF,

13, 14 V. c. 18—1850.

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Affirmation allowed in certain cases, s. 5. *See also* Aliens, oath.

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Bridge over river Jacques Cartier, 59 G. 3, c. 27.

AMENDMENT OF PLEADING, (CIVIL CASES,)

25 G. 3, c. 2—1785.—85.

Of declaration how to be allowed, s. 3.

12 V. c. 38—1849.

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18 V. c. 92—1855.

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ANATOMY,

7 V. c. 5—1843.

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Persons found dead, publicly exposed, &c., or before death receiving public aid, if not claimed, &c., may be delivered up for anatomical purposes, s. 1.

Teachers of anatomy, &c., authorized to receive such bodies, s. 2.

Medical school (if any) to be preferred, *ib.*

Inspectors of anatomy to be appointed by the Governor, s. 3.

Inspectors' duties, s. 4.

Coroner to notify inspector of bodies found publicly exposed and unclaimed, s. 5.

Superintendents of public institutions receiving government aid to notify inspector of the death of any inmate, s. 6.

Register of such bodies to be kept by the superintendent, s. 7.

Inspectors' emoluments, s. 8.

Medical practitioners to give security for the decent interment of bodies after dissection, s. 9.

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6 W. 4. c. 55—1836—568.

Penalty on persons, allowing to stray in summer or autumn on beaches below Quebec; how may be detained and sold, s. 2.

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- 2 V. c. 2—1838—163.
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 2 V. c. 28—1839—146.
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 13, 14 V. c. 40—1850.
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 May be impounded until penalties and damages paid, and by whom. Proceedings if unclaimed, s. 9.
 Parties pasturing, to be liable for damages done by them, s. 11.
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 18 V. c. 100—1855.
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- 4, 5 V. c. 25.
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- 10, 11 V. c. 13—1847.
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- 25 G. 3. c. 2—1785—85.
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 27 G. 3. c. 1—94.
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 34 G. 3. c. 6—1794—101.
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 12 V. c. 37—1849.
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 12 V. c. 38—1849.
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- When allowed from circuit court to superior court, s. 53.
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12 V. c. 41—1849.

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13, 14 V. c. 35—1850.

- Costs of, to quarter sessions—losing party may be condemned
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18 V. c. 97—1855.

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25 G. 3. c. 2—1785—85.

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27 G. 3, c. 4—1827—95.

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34 G. 3, c. 6—1794—101.

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Appellant consenting that execution do issue, to give security for costs only; *ib.*

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Practice of, as heretofore regulated, to remain in force, s. 29.

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12 V. c. 37—1849.

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When and where held—power to adjourn for rendering judgments only, s. 9.

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Judges—having been members of court appealed from, when disqualified, s. 11.

Clerk of appeals—appointment—residence—to appoint deputy—residence and powers of latter, s. 12.

Neither clerk or deputy to practise at the bar while in office, s. 13.

Writs and process, how styled, sealed, signed and tested, not to be void for wrong seal or none, s. 14.

May be in either English or French, *ib.*

Section 15 is repealed.

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14, 15 V. c. 88—1851.

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- be notified by letter to clerk of appeals, by provincial secretary, *ib.*
- Letter to be filed and registered by clerk, *ib.*
- Clerk of appeals when to record fact of judge being unable to sit, s. 2.
- Judges of superior court empowered to act as judges of, in such cases, *ib.*
- Cause heard before 3 judges when may be ordered to be reheard,—provision in case of fourth judge being unable to sit at such rehearing, s. 3.
- Délibéré* may be discharged when necessary by any one judge not incompetent, s. 4.
- Words “judges of superior court” to include chief justice, s. 5.
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- Removal of disqualification of judge of Queen’s Bench not to affect powers of judge supplying his place, s. 6.
- Provisions of this Act to apply in case of such latter judge being unable to sit, *ib.*
- Act to apply to pending appeals as well as others, s. 7.
- Exemplification of any judgment of privy council to be registered by clerk of appeals without order of court, s. 8.
- Record also to be remitted to court below; exception, *ib.*
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- In superior court, may be allowed at any time before judgment, s. 24.
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18 V. c. 106—1855.

- How and when allowed in proceedings under this act when proprietor of hypothecated immoveable is unknown, ss. 7, 12.

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41 G. 3. c. 13—1801—255.

- Not to be allowed to play at billiards, s. 2.

57 G. 3, c. 16—1817—159.

- Justices empowered to make regulations concerning—and how enforced, ss. 6, 7. *And see* Police.

12 V. c. 55—1849.

- This act not to apply to cities of Quebec, Montreal and town of Three Rivers, s. 1.
- Punishment of, for misconduct, s. 3.
- Punishment of persons harbouring or enticing away, s. 7.
- Complaint how laid and determined, s. 8.
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18 V. c. 100—1855.

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48 G. 3. c. 22—1808—116.

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13, 14 V. c. 38—1850.

And *experts, &c.*, may take oath before commissioners for receiving affidavits, s. 1.

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4 V. c. 30—1841—195.

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2 V. (2) c. 2—1838—176.

Justices authorized to seize and detain, in certain cases, s. 1.

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Punishment of persons resisting, misdemeanor,—no bail, s. 2.

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4, 5 V. c. 26—1841.

Setting fire to any dwelling house, any person being resident therein, felony, punishable with death, s. 2.

Setting fire to any church, chapel or meeting-house or other buildings, felony, and how punishable, s. 3.

Setting fire to any stack of corn, grain, wood, &c., felony, and how punishable, s. 17.

10, 11 V. c. 4—1847.

Attempting to set fire to any building, felony, and when to be arson, s. 7.

12 V. c. 20—1849.

Setting fire to any school-house, lecture-room, seminary, college or building for education, or to any town-hall, &c. railroad station-house, mechanics' institute, hall or building of any association, to be felony, s. 3.

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Punishment for, *ib.*

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18 V. c. 92—1855.

Setting fire to any railway station, goods, &c. felony, s. 34.

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ARTIHABASKA, Circuit altered,—18 V. c. 168.

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14, 15 V. c. 89—1851.

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18 V. c. 100—1855.

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18 V. c. 11 1854.

Act 6 V. c. 6 repealed, s. 1.

Description of barrels, s. 2.

Former licenses void from 1st January, 1855, s. 3.

Boards of Trade in Quebec, Montreal, Toronto, and Kingston and municipal authorities in other places where inspectors required, authorized to appoint boards of examiners, s. 4.

Mayor of said cities, and chief municipal officer of other places, to appoint one inspector, s. 5.

Inspectors to be examined before board of examiners, *ib.*

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Bond to be kept at the office of the clerk of the municipality, s. 6.

Examiners may require the aid of other competent persons upon examination of candidates, s. 7.

Inspectors to take oath of office, s. 8.

Form of oath, *ib.*

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Montreal inspector, to have certain allowance for insurance, extra, *ib.*

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 Such assistant inspector to be examined before the board, *ib.*
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 Counterfeiting brand marks, or fraudulently packing, &c., hiring or loaning out brand marks, penalty for, £50, s. 19.
 Mode of settling disputes between inspector and proprietor as to quality of ashes, s. 20.
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18 V. c. 95—1855.

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 Penalty of £5 imposed for each offence of acting as inspector without authority, s. 2.

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4, 5 V. c. 25—1841.

- With intent to rob, to be felony, and how punishable, s. 7.

4, 5 V. c. 27—1841.

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 6 V. c. 5—1842.
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4, 5 V. c. 27—1841.

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- Where felony intended, justice not to adjudicate, s. 30.
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14, 15 V. c. 97—1851.

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19, 20 V. c. 14—1856.

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- After 1st July, 1856, trustees of dissentient schools to have alone right to fix and collect their assessments. No attestation to be necessary, s. 5.
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18 V. c. 100—1855.

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If payable in labor only 1 year's arrears recoverable, s. 73, par. 4.

To be collected by secretary treasurer of local councils, s. 74, par. 5. Section 74, ps. 5, 6, *repealed by* 19, 20 V. c. 101, s. 25.

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Arrears to be reported annually to secretary treasurer of county, s. 74, par. 11.

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19, 20 V. c. 101—1856.

Parags. 5 and 6 of section 74 of 18 V. c. 100 repealed, and following provisions substituted, s. 25.

Secretary treasurer to give notice of completion of collection roll, and parties to pay within 20 days, (Form No. 1), p. 2.

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No opposition to be allowed, *ib.*

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How to be recovered, *ib.* p. 2.Section 77, to be read as if par. 2, of this section had formed par. 1. thereof, *ib.* par. 3. *And see* Municipal Corporations.

10, 11 V. c. 17—1847.

Crown property exempt from local rates and taxes, s. 1.

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ASSESSOR,

10, 11 V. c. 13—1847.

Census of any parish or township to assist sheriff in making list of jurors when required, s. 9.

ASSESSOR,

Penalty for neglect, s. 10.

12 V. c. 50—1849.

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16 V. c. 13—1852.

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13, 14 V. c. 32—1850.

Formation of, for the purpose of mutual assistance in case of death, sickness, &c., s. 1.

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What shall be evidence against officers or members, s. 6.

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ASSOCIATION of ST. JEAN BAPTISTE DE MONTREAL,

Incorporated, 12 V. c. 149.

ASSURANCE, See Insurance.**ASYLUM OF THE GOOD SHEPHERD,**

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ATTACHMENT,

25 G. 3. c. 2—1785—85.

Against the body, in what cases, and how obtained, s. 4.

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27 G. 3. c. 4—95.

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Rights of landlord not to be prejudiced, s. 11.

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5 G. 4. c. 2—1825—135.

Ca. res. condition of special bail in matters of, what to be, s. 1.

Bail still to have right to surrender defendant, s. 2.

Affidavit for *ca. res.* what to contain, when defendant is domiciled in *Upper Canada*, s. 3. *But see* 12 V. c. 42, s. 2, *further limiting the cases in which ca. res. may issue.*

ATTACHMENT,

7 G. 4. c. 8—1827—136.

Declaration how and when may be served in all cases of attachment, whether of goods or body.

9 G. 4. c. 27—1829—138.

Commissioners for receiving affidavits in K. B. (*Superior Court, now*) may receive affidavit and arrest body and goods of debtor in all cases where *capias* or attachment may issue, s. 1.

Proviso as to within what time ordinary process must issue, *ib.*

Duplicate of warrant to be transmitted to prothonotary, s. 2. Fees—what allowed, s. 3.

Forms—1, affidavit for *capias*—2, affidavit for attachment—3, warrant to arrest—4, warrant to attach.

9 G. 4. c. 28—1829—136.

Service of, how made when debtor has left or is concealed in province of Lower Canada, s. 1.

Such debtor to be entitled to rehearing within year and day after judgment, what security to be given by plaintiff, ss. 2 and 3. *But see* 12 V. c. 38. s. 94, *as to these and preceding sections.*

General issue may be pleaded under this act, s. 4.

Service of, on *tiers-saisi* must be personal, unless it be proved that he conceals himself, in which case service at his domicile shall be deemed sufficient, s. 5.

10, 11 G. 4. c. 26—1830—134.

Section 10 of 27 G. 3, c. 4, repealed so far as requiring certain indorsation on writ.

Sum specified in and party making affidavit to be indorsed thereon, *ib.*

4 W. 4, c. 4—1834—141.

Writs of, how executed where defendants in different districts, s. 2.

Writs of, after judgment, how executed when *tiers-saisi* in another district, s. 3.

Declaration how to be made, *ib.* *But see below*, 16 V. c. 194. ss. 17 to 19.

Manner of proceeding when declaration not contested, s. 4. *But see as above.*

12 V. c. 38—1849.

Affidavits for, may be made before prothonotary of superior Court, s. 19.

Writs of, from superior court, to be addressed to sheriff, s. 20. Actions in which writs of *capias* issued to be cognizable by superior Court though under £50 if jury trial demanded, s. 32.

Writs of, how issued and to whom addressed from Circuit Court; clerk may receive necessary affidavit, s. 63.

Writs of *ca. re.* and *sai. ar.*, before judgment may be issued by circuit clerk in all cases, and made returnable to superior court, *ib.*

How to be addressed, *ib.*

Liability of sheriff when to commence in certain case, *ib.*

ATTACHMENT,

16 V. c. 194—1853.

Saisie arrêt either before or after judgment if issued in another district, *tiers saisi* to answer in district where writ issues, s. 17.

Effect of default obtained in such district, *ib.*

Contestation of declaration may be had where action originated, *ib.*

Tiers saisi may however appear and declare in district where he resides, and how, *ib.*

Declaration in such case to be transmitted to place where writ issued, s. 18.

Certificate of prothonotary where defendant resides sufficient to obtain benefit of default, *ib.*

Exigency of writs of *saisie arrêt*, s. 19.

Default how and when recorded, *ib.*

What notice to be given to plaintiff of intention of *tiers saisi* to make declaration before return day, *ib.*

18 V. c. 107—1855.

Before judgment in cases under £10 and not less than £1 5s. may issue on affidavit, s. 1.

Nature of affidavit, *ib.*

Commissioners court may issue process of, *ib.*

Who may receive affidavit, s. 2.

Costs how to be taxed, s. 3.

18 V. c. 107—1855.

See also Capias—Saisie Gagerie—Saisie Revendication.

ATTAINDER OF CONVICTS AT COURTS MARTIAL,

2 V. c. 7—1838—76.

Sentence of death passed under rebellion ordinance (2 V. c. 1), to have effect of attainder, s. 1.

Creditors' rights saved, *ib.*

Copies of such sentences to be filed in courts of King's Bench, s. 2.

Office copies to be evidence, s. 3.

Sale of forfeited estates how made, s. 4.

Sheriff's title to be indefeasible, s. 5.

ATTAINDER,

Of another crime not pleadable, 4, 5 V. c. 24. s. 17.

ATTAINDER, REVERSED,

See Grace—Matthews—Montgomery—Stevens.

ATTESTATION.

31 G. 3, c. 6—1794—101.

Of Accounts may be made before a Judge of King's Bench, s. 8. *And see* 12 V. c. 38, s. 8.

12 V. c. 38—1849.

Of accounts, may be made before Circuit Court, s. 74.

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AUCTIONS—AUCTIONEERS,

4, 5 V. c. 21—1841.

Duty of 1 per cent. on goods sold at, by and to whom to be paid, s. 1.

License, no person to sell at auction, without—by whom granted, duration of, s. 2.

Recognizances, what to be given and where deposited, s. 3.

Penalty of £100, for selling without License, how recovered, s. 4.

What effects exempt from duty and license, when sold by auction, s. 5.

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Accounts of sales, when and to whom to be rendered, and how attested, s. 7.

Accounts of sales, penalty £100, and loss of license for neglecting to render such, s. 8.

Wilful false statement to be perjury, s. 9.

Penalties how recovered, applied and accounted for, s. 10.

District inspector—allowance to—recognizance by, s. 11.

18 V. c. 3—1854.

Moneys arising from auction duties and licenses appropriated to Seigniorial special fund, s. 18.

18 V. c. 100—1855.

Goods sold for arrears of municipal taxes to be exempt from auction duty, s. 75.

AUDIT, BOARD OF, See Public Accounts.

AUTRE-FOIS CONVICT OR ACQUIT,

18 V. c. 92—1855.

Form of plea, s. 27.

AVIS DE PARENS,

34 G. 3, c. 6—1794—101.

Judge of King's Bench (now superior court) how may depute notary or other fit person to receive, s. 9. *But see below* 14, 15 V. c. 58, s. 4.

48 G. 3, c. 22—1808—116.

Such persons authorized to administer necessary oath of office to tutors, &c., and how to transmit the same, s. 4.

4 V. c. 30—1841—195.

Persons concerned in, to cause memorial to be enregistered in default of tutor, s. 22. *Repealed except as regards subrogate tutor by* 12 V. c. 48, s. 1.

12 V. c. 38—1849.

May be taken before circuit court, s. 74.

14, 15 V. c. 58—1851.

Notaries may call meetings of relations and friends, in certain cases, without being authorized by judge, s. 1. *But see below* 18 V. c. 17.

Notaries may administer oath, receive advice, &c., *ib.*

Object of meeting to be first stated to notary by party applying, s. 2.

AVIS DE PARENS,

Notary to grant *Acte* thereof in a certain form, *ib.*
 Proviso as to several persons acting conjointly, *ib.*
 Proceedings at such meetings, s. 3.
Acte thereof to be made, *ib.*
 Form thereof and particulars to be stated therein.
 Section 9 of 34 G. 3, c. 6, repealed so far as repugnant to
 this act, s. 4.
 Act not to prevent judge of superior or circuit court from
 calling meetings, &c., *ib.*

16 V. c. 91—1853.

Declares that judges have power to homologate or refuse to
 homologate proceedings had before notaries under fore-
 going Act.

18 V. c. 17—1854.

Notary may, without special authorization, call and preside
 at meetings, administer oath and receive advice in all
 cases in which by law a judge may delegate his powers.
 Report of proceedings to be made to judge for homologation.

AYLMER, NEW GAOL AND COURT-HOUSE AT,

Appropriation for, 14, 15 V. c. 63.
 Further appropriation for, 18 V. c. 164.

AYLMER ACADEMY,

Incorporated, 18 V. c. 241.

B A C**BACKING OF WARRANTS,**

14, 15 V. c. 95—1851.

How and when may be made, and effect thereof, s. 3.
 Warrant against witness may also be backed, s. 6.

14, 15 V. c. 96—1851.

In indictable offences how and when to be done, s. 7.
 Form of—to have effect in Upper and Lower Canada, *ib.*
 In what case party apprehended may be taken before jus-
 tice backing warrant or other justice in same district, *ib.*
 Mode of proceeding in such case, *ib.* See also Justices.

BAIL (IN CIVIL CASES),

25 G. 3, c. 2—1785—85.

What necessary in matters of *ca. re.*, s. 4. *But see* 12 V. c.
 42, ss. 12 to 14.

Special, how discharged, s. 5.

5 G. 4, c. 2—1825—135.

Recognizances of Special Bail in matters of *ca. re.*, what and
 when to be given, s. 1. *But see* 12 V. c. 42, ss. 12 to 14.

12 V. c. 38—1849.

Defendant entitled to, in arrest under Writ from Circuit
 Court, s. 63.

12 V. c. 42—1849.

Defendant arrested under *ca. re.* how released on, s. 3.

BAIL, (IN CIVIL CASES),

- Sheriff's Bail how discharged, *ib.* And see sec. 12.
 Special Bail how and when may be put in, s. 12.
 Former Bail Bonds declared valid—Form of Bonds here-
 after to be taken—Liability of Sheriff, s. 13.
 Bail Bonds to be assignable as heretofore, s. 14.

BAIL (IN CRIMINAL CASES),

24 G. 3, c. 1—1784—118.

- Persons committed for Treason or Felony when may be dis-
 charged on Bail or otherwise, s. 8.
 Certain cases where no Bail allowed, s. 17, *but see* 4 & 5 V.
 c. 24, ss. 5 and 6.

4, 5 V. c. 24—1841.

- Proceedings where a party has been committed and applies
 to be bailed, ss. 5, 6, 7.

14 & 15 V. c. 96—1851.

- In indictable offences—Prisoner may be discharged, on bail
 when hearing adjourned at discretion, of Justice, s. 13.
 In cases of Felony, two Justices, and in misdemeanors one,
 may admit to; in Treason, none allowed, except by order
 of Judge of Queen's Bench, s. 15.
 Form of Recognizance, *ib.*
 Party admitted to, after commitment, how released, s. 16.
 See also Criminal Law—Habeas Corpus—Justices of the
 Peace—Recognizance—Security.

BAILIFFS,

6 W. 4, c. 15—1836—152.

- Sheriffs to be responsible for acts of, acting under him, s. 8.
 And sheriffs not allowed to purchase at sheriffs' sales, s. 14.

6 W. 4, c. 19—1836—181.

- Fees allowed to, when employed by justices, s. 2.
 To execute all orders of justices, s. 6.

7 V. c. 17—1843.

- In Gaspé—appointment, powers of, ss. 8, 10. *But see* 12 V.
 c. 40, s. 1.

7 V. c. 19—1843.

- Disqualified from being commissioners of small causes, s. 1.
 Also from being clerk of commissioners' court, s. 29.

10, 11 V. c. 13—1847.

- Exempt from serving on juries, s. 22.

12 V. c. 38—1849.

- Duty, on receiving any opposition *à fin de conserver* to exe-
 cution issued from circuit court, s. 96.
 Present bailiffs to remain in office and security to be valid—
 may be removed, s. 105.
 Who to be in new districts, s. 106.
 To act only in their own districts, how removable, s. 107.
 Hereafter appointed to give security; how taken and effect
 thereof, s. 108.
 Of superior court to be bailiffs of circuit court, s. 109.
 Prohibited from being witnesses in certain cases, s. 110.

BAILIFFS,

Guilty of misconduct how punished, s. 111.

May be imprisoned for non-compliance with sentence, s. 112.

12 V. c. 44—1849.

Action for fees by, how prescribed, s. 2

16 V. c. 195—1853.

Duty of, when writ to be executed in another district, s. 4.

Liable in damages for neglect and sureties holden, s. 5.

Contraignable for moneys levied, to circuit court whence writ issued, s. 6.

18 V. c. 109—1855.

Qualification and appointment of.

No person to be admitted as, who cannot write English or

French with sufficient correctness, s. 1.

To be examined by clerks of superior court, *ib.*

£1 fee on examination, s. 2.

Qualifications at present required not done away, s. 3.

Court may reject candidate at discretion, *ib.*

Provisions of Acts inconsistent herewith repealed, s. 4.

Act not to apply to district of Gaspé, and in force from 1st Sept., 1855, s. 5.

BAILLEURS DE FONDS,

9 G. 4, c. 77—1829—187.

Claims on lands in free and common soccage declared good and valid, s. 3.

May exercise their privilege though no mention made in deed, s. 5.

4 V. c. 30—1841—195.

Claims to be registered, s. 31.

16 V. c. 206—1853.

Declared bound to register within 30 days from passing of *Acte*, ss. 4, 5.

Those created prior to this Act allowed until 14th Dec., 1853, for registration,—judgments rendered not to be affected by Act, s. 6.

18 V. c. 3—1854.

Rentes constituées created under this Act (Seigniorial Tenure abolition) to have same privileges as, s. 27.

19, 20 V. c. 59—1856.

Oppositions *à fin de charge* may be filed for preservation of *rentes constituées et viagères* when secured by.

BAKER, See Bread.

BANALITÉ, See Seigniorial Tenure.

BANISHMENT,

4, 5 V. c. 24—1841.

Unlawfully returning from, felony, s. 25.—See also 6 V. c. 5, substituting the Penitentiary for banishment or transportation.

BANKS,

16 V. c. 80—1852.

Not exempt from usury laws, s. 4.

For Private Acts incorporating, &c. See *Supplement*, and the corporate names of the Banks respectively.

BANKS, CHARTERED,

4, 5 V. c. 99—Reserved Act—1841.

Chartered in one section of the province authorized to carry on their business in the other also, and on what terms, ss. 1, 2, 3.

13, 14 V. c. 22—1850.

Authorized to hold mortgages on real or personal property in certain cases, s. 1. See also, 19, 20 V. c. 48.

May purchase, hold and dispose of property mortgaged, s. 2. Or obtain title by foreclosure, *ib.*

14, 15 V. c. 70—1851.

May, on consenting to restrict their issues to a certain amount, obtain a remission of the tax imposed on bank notes by 4, 5 V. c. 29, s. 1.

Notwithstanding such restriction, the bank may issue a further amount of bank notes equal to the amount of specie or debentures held by the bank as its own property, s. 2.

Any bank availing itself of the next preceding section shall make up, and publish monthly, a statement verified on oath of its liabilities and assets under the penalty of £25 a day after default, and £200 for any false statement, s. 3.

16 V. c. 162—1853.

May issue notes beyond the amount limited by their charters, on certain conditions, s. 1.

Duty under 4, 5 V. c. 29, 1841, reduced in certain cases, s. 2.

Inconsistent enactments of 14, 15 V. c. 70, and of other acts, repealed, s. 3.

19, 20 V. c. 48—1856.

May charge not exceeding one half per centum premium in addition to discount on notes, bills, &c., payable at a place in the Province other than that where they are discounted, s. 1.

BANK NOTES, DUTY ON,

4, 5 V. c. 29—1841.

Chartered and other banks, to make half yearly statements to receiver-general of all notes in circulation, s. 1.

Wilful false allegation to be a misdemeanor, and how punishable, s. 2.

A duty of one per cent per annum to be paid to receiver general, on average amount of notes in circulation, s. 3.

[This duty is remitted on issues restricted to a certain amount by the 14, 15 V. c. 70, sec. 1, and reduced in certain cases by the 16 V. c. 162, sec. 2.]

Penalty for neglect £1,000, s. 4.

Forfeitures and duties how applied and accounted for, s. 5. See also Banks Chartered—Forgery.

BANKING, TO ESTABLISH FREEDOM OF,

13, 14 V. c. 21—1850.

- Act of U. C. 7 W. 4, c. 13, repealed, s. 1.
 Certain associations prohibited from carrying on banking business, s. 2.
 No bank note to issue for less than five shillings, s. 3.
 Penalty for issuing or circulating unlawful bank notes, s. 4.
 Foreign banks not to keep offices in this province under the penalty of £100, s. 5.
 Unlawful bank notes to be void, s. 6.
 Banking business, within the Act, defined, s. 7.
 Individuals, or co-partnerships, may establish banks, s. 8.
 Joint stock companies of not less than five members may be formed for banking, s. 9.
 Articles of agreement to be made and filed, *ib.*
 What such articles must shew, *ib.*
 Further provisions may be inserted, *ib.*
 Where such articles shall be filed, *ib.*
 Parties thereto to be a body corporate, s. 10.
 Liability of shareholders limited, *ib.*
 Banks may hold lands, &c., necessary for their business, value not exceeding £12,500, s. 11.
 Company to be dissolved if not qualified within twelve months after articles filed, s. 12.
Section 13, providing that provincial securities shall be deposited before the bank shall commence business, is repealed by 19, 20 V. c. 3, which see.
 For what amounts, *ib.*
 Inspector general to deliver registered notes to an amount equal to deposit, to become notes of the bank, s. 14.
The proviso to section 14 is repealed by 19, 20 V. c. 3, which see.
 Securities may be deposited from time to time and withdrawn on certain conditions, s. 15.
 As to bank notes returned to inspector general, s. 16.
 Proceedings upon bank failing to pay its notes in specie, s. 17.
 Notice to the bank, *ib.*
 Closing the bank, *ib.*
 Receiver to be appointed: his powers in taking possession of bank property, *ib.*
 His duties in settling the affairs, *ib.*
 Securities to be sold, *ib.*
 Holders of bank notes to be first paid, *ib.*
 Surplus to be distributed among the bank creditors, s. 18.
 Disposal of bank property, &c., *ib.*
 Schedule of assets to be made by the receiver, *ib.*
 To be filed in the office of the county court for allowance by the judge, *ib.*
 Objections thereto may be filed, heard and determined by the judge, *ib.*
 Appeal given to the Superior Courts of Law, *ib.*
 Receiver to invest assets, s. 19.
 To obey instructions from inspector general, and give security, &c., s. 20.
 Provision in case of his removal, *ib.*

BANKING, TO ESTABLISH FREEDOM OF,

Engagements of bank officer to terminate on bank closing, s. 21.

Non-satisfaction of judgments a ground for closing the bank, s. 22.

Proceedings where bank voluntarily closed, s. 23.

A list of all the partners, &c., to be kept constantly exposed in the bank, s. 24.

Copies to be furnished to any person on application, *ib.*

Every bank to keep an office of discount and deposit, s. 25.

Shares in, to be personal property and transferable, s. 26.

Liabilities of joint-stock bank not to exceed three times the amount of capital, under a penalty of £100 per diem for excess, s. 27.

Dividends not to impair the capital, s. 28.

Unclaimed dividends to be advertised, s. 29.

Half-yearly (*now* monthly) statement of bank affairs to be sent to inspector general, s. 30.

Particulars to be contained therein, *ib.*

Inspector general authorized to cause the books of such banks to be inspected in certain cases, *ib.*

Expenses of carrying this Act into execution, how paid, s. 31.

Fees for certain services under this Act, s. 32.

Existing banks may avail themselves of certain provisions under this Act, s. 33.

No duty to be paid on registered Notes under the 4, 5 V. c. 29—s. 34.

Interpretation Clause, s. 35.

A general statement of banks established, capital and liabilities, to be laid annually before parliament, s. 36.

14, 15 V. c. 69—1851.

Statements required by the 30th section of the 13, 14 V. c. 21, to be made up and transmitted monthly instead of half-yearly, s. 1.

The period of twelve months mentioned in sec. 2 in favor of certain banks, extended to the 1st January, 1855, under certain conditions, s. 2.

19, 20 V. c. 3—1856.

Section 13 of 13 & 14 V. c. 21 repealed and new section substituted, s. 1.

Provincial securities to be deposited before business commenced—To what amounts;—value thereof to be reckoned *at par. ib.*

Proviso to section 14 of 13 & 14 V. c. 21 repealed and new proviso substituted—Bank notes where to bear date and how to be payable, s. 2.

BANK OF MONTREAL,

Acts relating to amended and consolidated 19, 20 V. c. 76.

BANK OF NIAGARA DISTRICT,

Incorporated, 4, 5 V. c. 96.

Charter amended, &c., 7 V. c. 67.

BANK OF TORONTO,

Incorporated, 18 V. c. 205.

BANK OF UPPER CANADA,

Acts relating to amended and consolidated, 19, 20 V. c. 121.

BANK OF UPPER CANADA, Niagara District Bank and Commercial Bank of Midland District,

May open transfer books in London, 7 V. c. 62.

BANQUE DES MARCHANDS,

Incorporated, 9 V. c. 115.

BANQUE DU PEUPLE,

Incorporated, 7 V. c. 66.

Charter amended, 10, 11 V. c. 62; again amended, 18 V. c. 43—19, 20 V. c. 27.

BANKRUPTCY,

7 V. c. 10—1843.

Law established.—*Expired, except for certain special purposes only.*

9 V. c. 30—1846.

The 7 V. c. 10, amended, and continued to the 1st June next and the end of next session.

12 V. c. 18—1849.

For continuance of certain proceedings in.

13, 14 V. c. 20—1850.

For relief of uncertificated bankrupts in certain cases.

19, 20 V. c. 85—1856.

The above acts continued for certain special purposes till 1st January, 1857, and to the end of the then next session.

BAPTISMS,

35 G. 3, c. 4—1795—611.

How those before the Act may be proved in default of register, s. 13.

6 G. 4, c. 8—1826.

Clerks of the courts of King's Bench (superior court) to prepare lists of baptisms, marriages and burials, in triplicate annually from their registers, s. 1. *See also Registers.*

16 V. c. 198—1853.

Certificate of baptisms, burials and marriages, out of Lower Canada, to be *prima facie* evidence, s. 3.

No proof required of seal, signature or official capacity of person giving certificate, s. 4.

But if denied must be proved, s. 7.

Party denying to pay costs if certificate correct, *ib.*

Security for such costs how to be given, *ib.*

BAPTISTS,

3 W. 4, c. 29—1833—618.

Baptist ministers at Montreal may keep registers of marriages, births and burials, s. 1.

Baptist ministers to be subjects of Her Majesty, and take oath of allegiance; certificate thereof how filed, s. 2.

Rights of the crown saved, s. 3. *And see Registers.*

See also Calvinist Baptists—Free Will Baptists.

BAR OF LOWER CANADA,

12 V. c. 46—1849.

All advocates, barristers, attorneys, solicitors and proctors in Lower Canada admitted as such at time of passing of Act, to form a corporation under name of "The Bar of Lower Canada," s. 1.

Three sections constituted, *ib.*

Proviso as to districts of St. Francis and Gaspé, *ib.* *But see below, as to St. Francis*, 16 V. c. 130, ss. 4, 5.

Corporate powers, s. 2.

Each section may sue and be sued and acquire property separately; how process may be served, s. 2.

Corporation and each section to have its own seal; Proviso, no member to be individually liable, *ib.*

Power to make by-laws respecting discipline and honor of members; admission of candidate to study or practise and generally, s. 3.

Proviso: by-laws not to be contrary to laws of Lower Canada, or provisions of this act, *ib.*

Powers of corporation to be exercised by general councils, how composed—president, secretary and treasurer, how elected, s. 4.

Councils of sections how composed; majority to form *Quorum*; all questions except in cases hereinafter provided, to be decided by majority of votes of members present, s. 5. *And see* 16 V. c. 130, ss. 4, 5, *creating new section for district of St. Francis*.

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13, 14 V. c. 23—1850.

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4, 5 V. c. 26—1841.

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9 V. c. 37—1846.

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13, 14 V. c. 44—1850.

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On complying with certain formalities to be a body politic and corporate, *ib.*

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14, 15 V. c. 23—1851.

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4, 5 V. c. 25—1841.

Stealing, ripping or cutting with intent to steal, any glass or woodwork, or any lead, iron or other metal, or any utensil

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or fixture, any thing made of metal fixed in any land, or for a fence, to any dwelling-house, garden, &c., to be felony—punishable as simple larceny, s. 36.

18 V. c. 100—1855.

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4, 5 V. c. 25—1841.

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Breaking out, by felon, in the night time, to be burglary, s. 16.

Night to commence at nine in the evening and conclude at six in the morning, *ib.*

What buildings only shall be deemed part of the dwelling-house in capital offences, s. 18.

18 V. c. 92—1855.

Punishment of persons found by night armed, or having instruments for housebreaking, or disguised in any house, s. 28.

BURIALS, &c.,

35 G. 3, c. 4—1795.—611.

Those before the Act, how proved in default of Register, s. 13.

6 G. 4, c. 8—1826.—38.

Clerks of the Courts of King's Bench, (Superior Court *now*), to prepare lists of baptisms, marriages and burials, in triplicate annually from their Registers, s. 1. *See* Registers.

16 V. c. 174—1853.

Not to take place until 24 hours after death; exception, s. 3, *and see* Disinterment.

16 V. c. 198—1853.

Certificate of Baptisms, Marriages and Burials, out of Lower Canada, to be *prima facie* evidence, s. 3.

No proof required of seal, signature or official capacity of person giving Certificate, s. 4.

But if denied must be proved—Party denying to pay costs if certificate correct—Security for such costs how to be given, s. 7.

BURNING IN THE HAND,

57 G. 3, c. 10—1817.

May be changed to imprisonment in House of Correction in discretion of Judge, s. 4. *But see* 4 & 5 V. c. 24, s. 19 *abolishing benefit of Clergy.*

BUSHEL,

39 G. 3, c. 7—306.

Standard, what shall be and for what purposes, s. 6.

6 W. 4, c. 36—311.

Standard for coals, contents and dimensions of, ss. 2 and 3.

16 V. c. 193—1854.

Weight of Bushel of grain, Pulse, &c., s. 2. Extended to Lower Canada, by 18 V. c. 15.

BUTTER,

Inspection of, in Quebec and Montreal, 11 V. c. 7.

BY-LAWS, MUNICIPAL,

16 V. c. 211—1853.

Circuit court declared the court of review in appeals from municipal, s. 1. See Appeal.

18 V. c. 100—1855.

What may be made by municipal councils, and how, and publication thereof, ss. 15, 16. *And see* 16 V. c. 138 and c. 213—19, 20 V. c. 101, s. 5.

What may be made by county councils, s. 19.

What may be made by local councils, s. 23.

What may be made by town and village councils, s. 24.

Now in force to continue until repealed, s. 46. *But see* 19, 20 V. c. 101, s. 18.

For repair of roads in local municipalities solely by assessment and statute labor, how made and repealed, s. 51.

19, 20 V. c. 101—1856.

Parag. 9 of section 15 of 18 V. c. 100 not to affect by-laws made under Municipal Loan Fund Acts, s. 5.

County councils may amend or annul all by-laws made by local councils (town and village excepted), s. 9.

Appeal from such by-laws how and when allowed, *ib.*, par. 2.Special session of council how and when to be called, *ib.*Special council may amend or annul after hearing parties, *ib.*, par. 3.By-law to be held homologated in certain cases, *ib.*, par. 4.Amended by-law, or judgment annulling it, to be published, *ib.*, par. 5.Of town and village councils excepted; mayors of such councils not to take part in above proceedings, *ib.*, par. 6.

Local councils may make by-laws for unincorporated villages within their limits in certain cases, s. 11.

Parag. 4 of section 46 of 18 V. c. 100 repealed, s. 18.

BYTOWN AND MONTREAL TELEGRAPH COMPANY,

Incorporated, 13, 14 V. c. 120.

C A L

CALDWELL, SIR J.

7 V. c. 26—1843.

To secure the province against loss on sale of his property.

CALVINIST BAPTISTS,

6 W. 4, c. 49—1836—626.

Ministers of, may solemnize marriages and keep registers of births, marriages and deaths, s. 1.

Ministers to take oath of allegiance and give security, s. 2.

Registers, provisions concerning, ss. 3 to 5.

CANADA AND LIVERPOOL MINING COMPANY,

Incorporated, 19, 20 V. c. 78.

CANADA BAPTIST MISSIONARY SOCIETY,

Incorporated, 8 V. c. 102.

CANADA COPPER COMPANY,

Incorporated, 18 V. c. 51.

CANADA FIRE ASSURANCE COMPANY,

Incorporated, 4, 5 V. c. 57.

CANADA GAZETTE,

12 V. c. 26—1849.

Certain legal and official advertisements to be inserted in, s. 1.

CANADA GUARANTEE COMPANY,

Incorporated, 14, 15 V. c. 36.

CANADA INLAND FORWARDING AND INSURANCE COMPANY,

Enabled to sue for debts, 7 V. c. 59.

CANADA LIFE INSURANCE COMPANY,

Incorporated, 12 V. c. 168.

CANADA MARINE INSURANCE COMPANY,

Incorporated, 19, 20 V. c. 124.

CANADA MILITARY ASYLUM,

Incorporated, 16 V. c. 115.

CANADA MINING COMPANY,

Incorporated, 10, 11 V. c. 75.

CANADA, NEW BRUNSWICK AND NOVA SCOTIA RAILWAY COMPANY,

Incorporated, 10, 11 V. c. 122.

CANADA OCEAN STEAM NAVIGATION COMPANY,

Incorporated, 18 V. c. 45.

CANADA ORE DRESSING COMPANY,

Incorporated, 18 V. c. 219.

CANADIAN LOAN COMPANY,

Incorporated, 16 V. c. 238.

CANADIAN LOAN AND INVESTMENT COMPANY,

Incorporated, 19, 20 V. c. 126.

CANADIAN STEAM NAVIGATION COMPANY,

Incorporated, 16 V. c. 131.

CANALS,

4, 5 V. c. 26—1841.

Malicious injury to any bank, or wall, &c., of any lock, sluice, flood-gate, or other work upon, felony, s. 12.

Unlawfully and maliciously opening any flood-gate or maliciously obstructing the navigation in, felony, *ib.*

10, 11 V. c. 31—1847.

Governor in council authorized to make regulations for passing goods in bond through the provincial canals, s. 50.

Forfeiture for contravention, *ib.**See also* Public Works—St. Lawrence.AP CHAT. *See* Ste. Anne des Monts.

CAP-ROUGE PIER, WHARF AND DOCK COMPANY,

Incorporated, 16 V. c. 257.

CAPIAS AD RESPONDENDUM,

25 G. 3. c. 2—1785—85.

When, how and for what purpose may issue, s. 4. *But see below* 5 G. 4, c. 2.

41 G. 3, c. 7—1801-112.

Debtor imprisoned under, when to have alimentary allowance, s. 8. *And see* 25 G. 3, c. 2, s. 38. *As to word sterling, see* 12 V. c. 38, s. 91, *declaring the £1 stg. equal to £1 4s. 4d. cy.*

5 G. 4. c. 2—1825—135.

25 G. 3, c. 2, s. 4, recited, s. 1.

Special bail, when and what may be given, *ib.*

Preceding section not to affect right of bail to surrender defendant in discharge, s. 2.

Provisions with regard to, when both parties to suit reside in Upper Canada, s. 3. *But see* 12 V. c. 42, s. 2, *allowing writ to issue only where defendant is about to leave the Province of Canada, &c.*

7 G. 4. c. 8—1827—136.

Declarations in cases of may be served subsequently and when, s. 1.

9 G. 4, c. 27—1829—138.

Commissioner for receiving affidavits in K. B. (superior court *now*) may receive affidavit and arrest body and goods, in all cases where *capias* or attachment may issue; *Proviso as to within* what time ordinary process must issue, s. 1.

Duplicate of Warrant to be transmitted to prothonotary, s. 2. Fees—what allowed, s. 3.

Forms—affidavit for *capias*—warrant to arrest.

12 V. c. 38—1849.

Affidavit for, before whom to be made, ss. 19 and 63.

Writ of, to be directed to sheriff, s. 20.

CAPIAS AD RESPONDENDUM,

Actions in which writ of, issues, cognizable by superior court only, s. 32.

Writs of, may be issued by circuit court and how, ulterior proceedings thereon, s. 63.

Liability of sheriff upon such writs, *ib.*

12 V. c. 42—1849.

Who exempted from arrest under, s. 1. *And see* 18 V. c. 16.

To be issued on affidavit; by whom may be made; its nature, s. 2.

How party arrested may obtain his discharge if arrested improperly, *ib.*

Defendant arrested by, how may be discharged on giving security, s. 3.

Such defendant to make a certain declaration and when; consequence of default, &c., s. 4.

Defendant in gaol may make like statement, with declaration that he is willing to abandon property contained therein, s. 5.

Fraud when to be proved and how punished; if none, defendant to be released,—proviso, *ib.*

Curator to property abandoned, appointment of, and duties, ss. 6, 7.

As to defendants against whom a *ca. sa.* might have issued, but for this Act, s. 8.

Defendants arrested under, at time of passing of Act, when may be released on summary petition, s. 9.

Act to apply to persons in prison at passing thereof, s. 10.

Act not to have effect of discharging any debt, s. 11.

Special bail may be put in and how, s. 12.

Bail, doubts respecting form of, removed, s. 13.

Bail bond to be assignable, s. 14.

Act not to affect *contrainte par corps* as now by law allowed, s. 15.

False swearing to be perjury, s. 16.

Act to apply to Lower Canada only. Inconsistent laws, repealed, s. 17.

Schedule No. 1—form of notice for appointment of curator.

Schedule No. 2—form of notice of appointment of curator.

Schedule No. 3—form of notice to defendant to file declaration.

Schedule No. 4—form of bail bond.

CAPIAS AD SATISFACIENDUM,

12 V. c. 42—1849.

Not to issue in any case, s. 1. *But see below* 18 V. c. 16.

In all cases where formerly might have issued, plaintiff may after discussion of defendant's apparent property, require him to make certain statement, s. 8.

Plaintiff may prove fraud within two years from filing the same—penalty in such case, or on default to appear, *ib.*

And see 25 G. c. 2, s. 38.

CAPIAS AD SATISFACIENDUM,

18 V. c. 16—1854.

Section 1 of 12 V. c. 42, not to prevent execution against the person for contempt of court. *Rebellion à justice, &c.*
s. 1. See also Attachment—Debtor.

CAPITAL OFFENCES,

41 G. 3, c. 9—1801—84.

Women convicted of high or petty treason, how executed,
s. 1, 2.

To be liable to forfeiture as before, s. 3.

6 G. 4, c. 5—1826—83.

Sentence of death may be recorded, ss. 1, 2—*But see 4, 5,*
V. c. 24—ss. 33, &c.

5 W. 4, c. 1—1835—177.

Counsel may address jurors for prisoners accused of, in same
manner as in misdemeanors.

2 V. (3) c. 9—1839—84.

Sentence of death after conviction for murder may be
pronounced as for other capital offences, s. 2. *And see below.*

4, 5 V. c. 24—1841.

What felonies only shall be so deemed, s. 20.

No report to Governor required before execution, s. 32.

Sentence of death may be recorded &c.—ss. 33, 34.

Court may order execution, s. 35.

Prerogative of mercy not affected, s. 36—*and see 14 15 V.*
c. 2, s. 4, as to commutation of sentence.

See Convict, &c.—Criminal Law—Murder.

CARILLON AND GRENVILLE RAILWAY COMPANY,

Incorporated, 10, 11 V. c. 119.

CARNAL KNOWLEDGE,

4, 5 V. c. 27—1841.

Of a girl under 10 years of age, felony, punishable with
death, s. 17.

Of a girl above ten years, and under twelve, a misdemea-
nor and how punishable, *ib.*

What shall be sufficient proof of, s. 18.

CARRIER, See Warehousemen.

CARTERS,

18 V. c. 100—1855.

To be licensed by local municipal councils, s. 23, par. 7.

CASGRAIN, P.,

Bridge over river Ouelle, 57 G. 3, c. 34.

CATTLE,

4, 5 V. c. 25—1841.

Stealing, or killing with intent to steal carcase, to be felony,
and how punishable, s. 29.

4, 5 V. c. 26—1841.

Maliciously killing or maiming, felony, s. 16.

See Animals.

CAUSE OF ACTION,

12 V. c. 38—1849.

Place where it arose, how and when to determine district or circuit where action to be commenced, ss. 14, 49. *See also* 29 G. 3, c. 3, s. 13.

14, 15 V. c. 60—1851.

In real actions, held to have arisen where property situate, CENSITAIRE, *See* Seigniorial Tenure.

CENSUS AND STATISTICS,

6 G. 4, c. 8—1826.

Clerks of courts of King's Bench (superior court *now*) to prepare from their registers an annual classified statement in triplicate of the number of baptisms, marriages and burials, s. 1.

Such statement to be laid before the Governor and two branches of the legislature, and when, *ib.*

Fees what allowed and how paid, s. 2.

Collector of customs at Quebec to transmit to the several branches of the legislature a similar return of emigrants, s. 3.

Masters of vessels to give collector a return of emigrants on board their vessels, s. 4. *But see* 16 V. c. 86, s. 6—Emigrants.

Harbour master or custom house officer to furnish master with printed forms, *ib.*

Penalties how recovered and applied, ss. 5, 6.

Forms of returns, schedules 1 and 2.

10, 11 V. c. 14—1847.

Repeal of former Acts, s. 1.

Board of registration and statistics constituted, s. 2.

Duties of the board, s. 3.

A secretary to be appointed by the Governor, s. 4.

Sections 5 to 15 are repealed by 14, 15 V. c. 49—sect. 17, 18, 19 *relate only to Upper Canada.*

Clerks of the peace required to furnish to the board lists of all convictions, &c., at such periods as the board shall appoint, s. 20.

Offences against the Act, how punishable, s. 21.

14, 15 V. c. 49—1851.

Part of 10, 11 V. c. 14 repealed, s. 1.

Census of the province to be taken in January, 1852, January, 1861, and every tenth year afterwards, s. 2.

To be taken under the superintendence of the board, s. 3.

What information may be required, s. 4.

A census commissioner to be appointed by the Governor in every county, &c., s. 5.

Census Commissioners to appoint enumerators, s. 6.

Enumerators to act under their instruction and direction, s. 7.

Enumerators' duties, s. 8.

Duties of the commissioners, and of the board, on receiving returns, ss. 9, 10.

Enumerators to be furnished with printed schedules, to be left at each house the first week in January, s. 11.

CENSUS AND STATISTICS,

Occupants to fill up same under a certain penalty for neglect,
ib.

Enumerators to collect same on the second Monday in
January, correct them if defective, and afterwards deliver
them to the commissioners, s. 12.

Enumerators empowered to question parties, s. 13.

Penalty for answering falsely, &c., *ib.*

Penalties how recoverable, s. 14.

Any commissioner or enumerator contravening the act, or
making false return, &c., to be guilty of misdemeanor,
punishable by fine not exceeding £25, s. 15.

Power to appoint to include power to remove any officer
under this act, s. 16.

What shall be evidence of appointment or removal, *ib.*

Allowance to census officers, s. 17.

Report to be laid before parliament, s. 18.

Interpretation clause, ss. 3, 19.

Governor may alter the month for taking census in any
county, in case of necessity, s. 20.

CERTIORARI,

12 V. c. 37—1849.

Cases pending before general or quarter sessions may be
removed to court of Queen's Bench, crown side, by,
s. 25.

12 V. c. 38—1849.

Superior court to have reforming power over inferior courts,
magistrates, &c., s. 7.

12 V. c. 41—1841.

Writs of, how issued, served and proceeded with, s. 16.
But see below 13, 14 V. c. 36, s. 2, in part repealing this
section.

13, 14 V. c. 36.

Proceedings on writs of, regulated, s. 2.

But such proceedings to be governed by 12 V. c. 41, s. 16,
on writs issued before this Act, s. 3.

16 V. c. 199—1853.

Proceedings on, after return, s. 2.

18 V. c. 104—1855.

Circuit court to have concurrent jurisdiction with superior
court in matters of, in certain cases, s. 9.

CHALDRON,

6 W. 4, c. 36—1836—311.

For the measurement of coal, contents of, s. 2.

CHALLENGE OF JURORS,

25 G. 3, c. 2—1785—85.

To be governed by laws of England, s. 20.

4, 5 V. c. 24—1841.

Restricted to legal number in treason, felony and piracy,
s. 16. *See also* Jurors.

CHALLENGE OF JURORS,

10, 11 V. c. 13—1847.

Crown not to challenge except for cause duly proved, s. 21.
 Prisoner's peremptory challenges limited to 20, *ib.*

CHAMPLAIN AND ST. LAWRENCE RAILROAD,

See Company of proprietors of, &c.

CHAMBLY COLLEGE,

Incorporated, 6 W. 4, c. 51.

CHAMBLY COTTON MANUFACTORY COMPANY,

Incorporated, 8 V. c. 92.

CHAMBLY TURNPIKE ROAD, *See* Longueuil and Chambly.**CHARITABLE ASSOCIATIONS, *See* Associations, Provident.****CHARTERED BANKS, *See* Banks, chartered.****CHARITABLE ASSOCIATION OF ROMAN CATHOLIC LADIES OF QUEBEC,**

Incorporated, 6 V. c. 24.

CHASSEURS MUSEUM,

Vested in the Crown, 6 W. 4, c. 47.

CHATHAM,

Gore detached from Terrebonne and annexed to Two Mountains, 7 V. c. 28.

CHATHAM TOWNSHIP,

May be divided, 19, 20 V. c. 105.

CHEATS, *See* False Pretences.**CHEMICAL PURPOSES, JOINT STOCK COMPANIES FOR,**

See Manufacturing, &c., Companies.

CHICOUTIMI,

12 V. c. 38—1849.

Sessions of the peace when and by whom to be held at, s. 80.

CHICOUTIMI COUNTY,

New Municipality formed in, 19, 20 V. c. 71.

CHILD STEALING,

4, 5 V. c. 27—1841.

With intent to deprive the parent &c. of the possession, or with intent to steal any article upon; harbouring or receiving any such child, to be felony, s. 21.

Fathers of illegitimate children excepted, *ib.*

CHLOROFORM,

18 V. c. 92—1855.

Administering with intent to commit felony, to be felony, and how punishable, s. 29.

CHRISTIAN NAME,

12 V. c. 22—1849.

In actions, &c., on bills and notes, initials, &c., of, sufficient when so signed, s. 24.

CHRISTIAN UNITARIANS,

For relief of, at Montreal, 8 V. c. 35.

CHURCHES, PARISHES, BURIAL GROUNDS,

2 V. (3) c. 29—1839—601.

For the building of, and erection of—

1 W. 4, c. 51 and 31 G. 3, c. 6, cited, s. 1.

Governor may appoint 5 commissioners in each district, *ib.* But see below 16 V. c. 125, s. 1.

Canonical decree for erection of parish, &c., how, when and by whom to be rendered, s. 2. But see below 16 V. c. 125, s. 2, and 16 V. c. 112, s. 6.

Notice, what to be given of Bishop's visit, s. 3.

Commissioners to be applied to, to recognize canonical decree—their duties thereupon—proviso as to necessary changes, s. 4. But see below 18 V. c. 112, s. 6.

Ordinance not to extend to parishes already erected nor to parishes in debt, s. 5.

Governor how may proclaim erection of parish—effect thereof, s. 6.

Commissioners may visit any locality after notice, s. 7.

Commissioners to have power to call for all plans, s. 8. Penalty on persons refusing them—how recovered, *ib.*

Trustees for building churches, &c., meeting for election of, when and how to be authorized, s. 9.

Meeting how to be called, s. 10.

Trustees how to be qualified—bound to accept office unless exempted, s. 11.

Trustees when and how to be replaced, s. 12. But see below 13, 14 V. c. 44, s. 1.

Trustees election of, to be confirmed by commissioners, s. 13.

Act of assessment, by whom to be drawn up; what to specify; where to be deposited and what notice to be given previous to homologation, s. 14.

Act of assessment, Commissioners to have power to reject or modify, s. 15.

Qualification of voters, &c., what necessary, s. 16.

Protestants exempt from assessments, s. 17.

Commissioners to appoint secretary, s. 18.

Assessments when homologated, how recoverable, s. 19.

But see below 14, 15 V. c. 103, s. 1 and 18 V. c. 112, ss. 1, 2.

Special commissioners when to be appointed, s. 20.

Certain judgments by commissioners under 31 G. 3, c. 6, to be valid, s. 21.

31 G. 3, c. 6 suspended, s. 22. Proviso *in part repealed by* 13, 14 V. c. 44, s. 7.

Commissioners under 1 W. 4, c. 51 to continue their proceedings until replaced, s. 23.

Rights of the crown and others saved, s. 24.

4 V. c. 23—1841—608.

Provisions of 2 V. (3) c. 29 extended to parishes canonically erected before the passing of said ordinance.

CHURCHES, PARISHES, BURIAL GROUNDS,

13, 14 V. c. 44—1850.

- Part of section 12 of 2 V. (3) c. 29, repealed, s. 1.
 Vacancies among trustees how to be filled, *ib.*
 Supplementary assessment, proceedings to be adopted to obtain, ss. 2 to 4.
 Assessments to be first privileged debt without requiring registration, s. 5.
 Accounts how and when to be rendered by trustees, s. 6.
 Who may sue trustees to account, *ib.*
 Moneys recovered where deposited, *ib.*
 Part of section 22 of 2 V. (3) c. 29 repealed, s. 7.
 Said ordinance so amended as to apply to proceedings commenced, and to churches, &c., ordered to be built, &c. by canonical decree, before its passing, ss. 8, 9.
Fabrique to be liable to builders, &c., in certain cases where no assessment has been made, s. 10. *And see below* 18 V. c. 112, s. 5.
 Bailiffs of superior court to be those of commissioners, s. 11.
 2 V. (3) c. 29, as amended made permanent, s. 12.

14, 15 V. c. 103—1851.

- Ordinance 2 V. c. 29 and 13, 14 V. c. 44 cited, s. 1.
 Assessments to be paid by 12 equal instalments, *ib.* *But see below* 18 V. c. 112, s. 2.
 Instalments;—no more than necessary for building church, &c., to be called in; exception, s. 2.
 Trustees to render annual accounts and when,—proviso, s. 3.
 Agents to compel trustees to render account, how to be elected, s. 4.
 Duties of such agents, costs how to be paid, s. 5.
 What to be *primò facie* evidence of appointment of agents, s. 6.
 Name under which action to be brought by agents, s. 7.
 Penalty for neglecting or obstructing performance of duties under this act, s. 8. How recovered, *ib.* *But see below* 18 V. c. 112, s. 1.
 Inconsistent provisions of above acts repealed, s. 9.

16 V. c. 125—1853.

- 2 V. (3) c. 29, cited, s. 1.
 Five commissioners may be appointed for each R. C. diocese—except district of Kamouraska.
 Powers of bishops of Montreal and Quebec, vested in bishop of each diocese, s. 2.
 Cases in dioceses to be governed by 2 V. (3) c. 29, s. 3.
 Present commissioners to finish pending cases, s. 4.
 Bailiffs of superior court to act for all purposes of 2 V. (3) c. 29,—s. 5.
 Commissioners under 2 V. (3) c. 29, to have power to swear witnesses, &c. s. 6.

18 V. c. 112—1855.

- Non obst.* foregoing acts, suits to be brought either in circuit court without appeal or commissioners court or before justice, s. 1.
 Sums over £3 to be levied by quarterly instalments, s. 2.

CHURCHES, PARISHES, BURIAL GROUNDS,

Work by voluntary subscription may be carried on under above acts, s. 3.

Public Hall may be erected under said acts and how, s. 4.

Builder to have recourse against *fabrique*, though building erected without the formalities required: Proviso, s. 5.

Canonical decree erecting parish how to be published, s. 6.

Notice for filing oppositions thereto, *ib.*

Commissioners to report to Governor in case of no opposition, *ib.*

Present commissioners to act under this Act, s. 7.

CHURCHES AND CHAPELS, GOOD ORDER IN,

See Religious Worship.

CHURCH SOCIETIES IN DIOCESES OF QUEBEC AND TORONTO,

Incorporated, 7 V. c. 68.

CHURCH SOCIETIES,

In Lower Canada, 14, 15 V. c. 171.

CHURCH SOCIETIES,

In Diocese of Quebec and Toronto, incorporated, 7 V. c. 68.

CHURCH OF ENGLAND,

Management of Temporalities of, in Diocese of Quebec, 6 V. c. 32.

CHURCH OF ENGLAND,

Temporalities of in Diocese of Montreal, 14, 15 V. c. 176.

CHURCH OF SCOTLAND,

44 G. 3, c. 11—1804—583.

Certain marriages in, confirmed.

7 G. 4, c. 2—1827—617.

All marriages by ministers of, to be valid.

3 W. 4, c. 27—1833—627.

Ministers of Secession church of Scotland authorized to keep registers of marriages, baptisms and burials, according to law. *And see* Registers.

CHURCHWARDENS,

7 G. 4, c. 3—1827—66.

Duty of as to keeping order in churches and prosecuting offences; penalty for neglect, s. 2.

Not to be entitled to any portion of fines imposed, s. 9.

To be competent witnesses though prosecutors, s. 10.

Allowed to plead general issue when sued, and to have double costs if plaintiff fails, s. 11.

9 V. c. 27—1846.

Of *fabriques* when to be school commissioners, s. 25.

10, 11 V. c. 13—1847.

Of any parish or township to assist sheriff in making list of jurors when required, s. 9.

Penalty for refusal, s. 10.

CIRCUITS,

12 V. c. 38—1849.

Where held—extent of, s. 77. *And see* 12 V. c. 39.

Change of limits of, not to affect pending suits, s. 78.

16 V. c. 194—1853.

New established and described, in Districts of Quebec, Three-Rivers, Kamouraska and Gaspé, s. 12.

Portions of old, included in above to be detached, *ib.*Not to affect pending cases, *ib.*

Acton and part of Upton, included in St. Hyacinthe, s. 35.

19, 20 V. c. 55—1856.

Certain new circuits, when may be proclaimed, ss. 5, 6.

CIRCUIT COURT,

41 G. 3 c. 17—1801—516.

May use free school houses for court houses, s. 12.

4 G. 4, c. 18—1824—521.

If school houses be out of repair, may use presbytery or other fit dwelling; what notice to be given, s. 1.

(Query whether above two enactments apply to present circuit courts.)

12 V. c. 38—1849.

To have records of inferior term of court of Q. B. transferred to it, s. 40.

To decide actions pending in inferior term, s. 41.

Established—jurisdiction—by whom held, &c.; not to be a new court, s. 42.

Extent of jurisdiction—actions classed according to amount how to be tried in, s. 47. *But see below* 18 V. c. 104.

Appeal from, to lie to superior court; how to be brought and proceeded upon, s. 53.

To have power to issue certain writs of attachment, s. 63.

*But see Attachment.*Also writs of *ca. re.* and *saisie arrêt*, to be returnable in superior court, *ib.*

To have powers of superior court in certain matters, s. 64.

Powers respecting probate of wills, appointment of tutors, &c., vested in, s. 74.

Limits and local extent of jurisdiction, time and place of holding, &c., defined, s. 77. *But see* 12 V. c. 39—16 V. c. 194, ss. 3, 12 and 35, and 19, 20 V. c. 55, ss. 4, 5 and 6.Actions pending in old circuits how carried on, *ib.*

Change in limits of any circuit not to affect suits pending, s. 78.

Term of, may be closed or prolonged by judge, s. 79.

To hear and decide cases commenced in commissioners' court, s. 81.

Things ordered by, to be done in another district, how served and proceeded on, s. 99.

Tariff and rules of practice to be made by superior court, s. 100. *But see* 18 V. c. 98, s. 8.

Attorneys practising in, how to elect domicile, s. 101.

Commissioners of superior court to be commissioners of, s. 102.

Bailiffs and sheriffs of superior court to be officers of, s. 109.

CIRCUIT COURT,

16 V. c. 194—1853.

Terms of, in Montreal and Quebec regulated, s. 3.

New circuits established in districts of Québec, Three-Rivers, Kamouraska and Gaspé, s. 12. *And see* section 35.

Officers of, in new circuits when may be appointed, s. 13.

16 V. c. 211—1853.

Circuit court declared the court of review in appeals from municipal by-laws, s. 1.

18 V. c. 100—1855.

To decide contested municipal elections, s. 35.

18 V. c. 104—1855.

At Quebec and Montreal to cease to have jurisdiction over cases above £15; such suits to be brought in superior court, s. 1.

To have jurisdiction over all oppositions to executions in circuit court, whatever their amount, s. 8.

To have concurrent jurisdiction with superior court in matters of *certiorari*, s. 9.

19, 20 V. c. 55—1856.

Judgments in, how and when may be read by clerk, s. 1.

Effect thereof, *ib.*Governor in council may alter the number, time of holding and duration of terms of, *non obst.* section 77 of 12 V. c. 38, and how, s. 4.

Governor in council how and when may declare certain new circuits, ss. 5, 6.

Governor may appoint additional circuit judge, s. 9.

Circuit judge on application of plaintiff may order that evidence be taken as formerly, *non obst.* 18 V. c. 104, s. 4, s. 10.*See also* Administration of Justice—Judges—and the several matters in which the court has jurisdiction.

CITY AND DISTRICT SAVINGS BANK,

Montreal, 19, 20 V. c. 29.

CITY BANK,

Charter amended, &c., 4, 5 V. 97; again amended 10, 11 V. c. 116—12 V. c. 185; again amended and capital increased, 18 V. c. 41; again amended 19, 20 V. c. 7.

CITY OF QUEBEC HOTEL SOCIETY,

Incorporated, 16 V. c. 79.

CIVIL LIST, GRANTED,

9 V. c. 114—1846.

Duties and revenues under control of the province to form consolidated revenue fund, s. 1.

To what charges the said fund shall be subject, s. 2.

Sums in schedule A. granted to the Crown for ever, and those in schedule B. for Her Majesty's life and five years afterwards, s. 3.

CIVIL LIST, GRANTED,

Salaries payable to present incumbents of offices named in schedules and those payable to their successors; distinguished, s. 4.

To what extent the appropriations in schedules may be varied, s. 5.

Hereditary revenues surrendered to the province while the sums in schedules are payable, s. 6.

Charges on Consolidated Revenue Fund under provincial acts not to be affected, s. 7.

Legislative Assembly not to vote money except on recommendation of the Governor, s. 8.

Act not to have force until sections 50 to 57 of the Union Act are repealed, s. 9. (*which was done by Imp. Act 10, 11 V. c. 71.*)

Schedules A. and B.

14, 15 V. c. 173—1851.

The foregoing act amended and certain salaries mentioned in the schedules reduced.

18 V. c. 89—1855.

The said act (9 V. c. 114) again amended, and the salaries of judicial and executive officers raised; with power to the Executive Government to raise the salaries of public officers generally with certain limits.

CLAIMS, *See* Oppositions—Privileges.

CLEARING LAND,

18 V. c. 100—1855.

County municipal councils to make regulations concerning, s. 19, par. 5.

CLERCS, Paroissiaux ou Catéchistes de St. Viateur, (Industry Village,)

Incorporated, 12 V. c. 144.

CLERGYMEN,

43 G. 3, c. 4—1803—579.

To read publicly after divine service all acts and proclamations when thereunto required by the Governor.

10, 11 V. c. 13—1847.

Exempt from serving on juries, s. 22.

12 V. c. 42—1849.

Exempted from imprisonment for any civil cause, s. 1.

12 V. c. 50.

Eligible for school commissioners, without property qualification, s. 6.

18 V. c. 100—1855.

Disqualified from being municipal officer or councillor, s. 17, p. 1. *And see* Registers and also the different denominations by their Names.

4, 5 V. c. 27—1841.

Arresting of, during divine service, &c., to be a misdemeanor, s. 22.

CLERGYMEN,

8 V. c. 9—1845.

Indemnified for having voted at elections.

8 V. c. 10—1845.

May vote at elections.

18 V. c. 77—1855.

Exempt from militia service, s. 7.

CLERGY RESERVES,

18 V. c. 2—1854.

Preamble reciting Imperial Acts.

Proceeds of, to form separate municipal funds, one for Upper Canada and one for Lower Canada, s. 1.

Each fund to comprise the proceeds, &c., of the Reserves in that section of the province to which it belongs, *ib.*Moneys to be paid to receiver general, *ib.*

Annual stipends and allowances charged on, before the last Imperial Act, to continue payable during the lives of present incumbents, s. 2.

Annual allowance to the Roman Catholic church in Upper Canada, and to the British Wesleyan church for Indian missions, to be payable for twenty years after this Act, *ib.*

Provincial government authorized, with consent of parties, to commute such stipends, &c., for their value in money, s. 3.

Commutation with said religious bodies or denominations not to be vested in land, *ib.*

A sufficient amount to be retained by receiver general for payment of stipends while chargeable, with power to invest, s. 4.

Unappropriated balance to be divided among the several municipalities in each section, according to population, s. 5. *Amended as to Upper Canada by 19, 20 V. c. 16.*Receiver general authorized to retain sufficient to pay any outstanding claim of government against the municipalities, *ib.*

Limitation of annual sale of clergy reserves, by Imperial Act 3, 4 V. c. 78, repealed, s. 6.

What lands shall be deemed clergy reserves, s. 7.

See also Imperial Acts, 31 G. 3, c. 31; 7, 8 G. 4, c. 62; 3, 4 V. c. 78; 16 V. c. 21.

CLERKS AND SERVANTS,

4, 5 V. c. 25—1841.

Stealing by, how punishable, s. 38.

Embezzling money, &c., received by them on their master's account, to be felony, s. 39.

CLERK OF APPEALS,

12 V. c. 37—1849.

Appointment of; where to reside; to appoint deputy, s. 12. Residence and powers of latter, *ib.*

Not to practise at the bar while in office, s. 13.

13, 14 V. c. 37—1850.

To cease to receive fees for his own use, s. 2.

CLERK OF APPEALS,

14, 15 V. c. 88—1851.

To register letter notifying him of leave of absence granted to judge, s. 1.

When to record fact of judge being unable to sit, s. 2.

To notify judges of superior court of above fact and when, s. 5.

To register judgment of privy council without order of court when required, and remit record to court below—Exception—Proviso, s. 8.

CLERK OF CIRCUIT COURT,

10, 11 V. c. 13—1847.

Exempt from serving on juries, s. 22.

To make list of jurors for circuit beyond the distances within which sheriffs are required to make them, s. 27.

12 V. c. 37—1849.

May be clerk of the crown, s. 30.

But not to practise at the bar while in that office, *ib.*

12 V. c. 38—1849.

May administer affidavits, when required before issue of certain writs, s. 63.

Appointment of; may appoint deputy; powers of latter, s. 75.

May receive returns in certain cases, s. 79.

Not to practise at the bar, s. 103.

Security to be given by, and how, s. 104.

To be officer of circuit court, s. 109.

13, 14 V. c. 37—1850.

In circuits of Montreal, Quebec, Three-Rivers and Sherbrooke to cease to receive fees for their own use, s. 2.

18 V. c. 98—1855.

Above provision extended to circuit of Percé, New-Carlisle, Kamouraska and Ottawa, s. 4.

18 V. c. 104—1855.

Empowered to administer necessary oath when opposition made to an execution *de bonis*, s. 8.

19, 20 V. c. 55—1856.

Judgments of circuit court to be read by, in certain cases, s. 1.

CLERK OF COMMISSIONERS' COURT,

7 V. c. 19—1843.

How appointed and qualification, ss. 27, 29.

Duties of, s. 30.

Not to act as attorney before the court, s. 32.

To take oath, s. 37.

Penalty for misconduct, s. 38.

18 V. c. 100—1855.

May be secretary-treasurer of municipal councils, s. 17, p. 1.

CLERK OF THE CROWN,

39 G. 3, c. 9—1799—178.

To pay crown witnesses on order of court, s. 24.

CLERK OF THE CROWN,

12 V. c. 37—1849.

Appointment—deputy—powers of latter; his removal, s. 29.
 Prothonotary or circuit clerk may be, s. 30.
 Not to practise at the bar while in office, *ib.*

12 V. c. 38—1849.

How appointed in new districts, s. 12.

13, 14 V. c. 37—1850.

In districts of Montreal, Quebec, Three-Rivers and St.
 Francis, to cease to receive fees for own use, s. 2.

18 V. c. 98—1855.

Above provision extended to districts of Gaspé, Kamouraska
 and Ottawa, s. 4.

CLERK OF JUSTICE OF THE PEACE,

6 W. 4, c. 19—1836—181.

What fees allowed to, s. 1. *But see below* 14, 15 V. c. 95,
 s. 26, s. 1.

Not to represent either party before justice, s. 5.

14, 15 V. c. 95—1851.

Table of fees how may be made for—penalty on for receiv-
 ing greater, s. 27.

To pay moneys by them received to parties entitled thereto;
 how if no one, s. 27.

How to keep and render accounts, *ib.*

CLERK OF THE PEACE,

4 G. 4, c. 19—1824—183.

To keep registers of prosecutions before justices in towns, s. 2.

Duty of on receipt of fines and penalties, s. 5. *And see* 14,
 15 V. c. 95, s. 27.

6 W. 4, c. 5—1836—555.

To keep a list of all stolen articles, &c., stating particulars,
 s. 1.

Copy to be laid before judges of Q. B. at every term, who
 may order unclaimed goods to be sold by auction, *ib.*

Sales how to be advertised, goods how may be delivered to
 persons claiming them, s. 2.

Proceeds of sale how disposed of, s. 3.

Application of moneys how to be accounted for, s. 4.

2 V. (3) c. 20—1849—186.

To report justices not making returns of prosecutions, s. 2.

6 V. c. 3—1842.

Certificates of qualification of justices to be deposited with
 clerks of the peace, s. 3.

Attested copy to be furnished on payment of 1s., s. 4.

10, 11 V. c. 14—1847—(Census Act.)

To forward to board of registration yearly, a list of all
 convictions, in triplicate, s. 20.

12 V. c. 38—1849.

How appointed in new districts, s. 12.

How appointed in Chicoutimi, s. 80.

CLERK OF THE PEACE,

13, 14 V. c. 37—1850.

In districts of Quebec, Montreal, Three-Rivers and St. Francis to cease to receive fees for their own use, s. 2.
And see 18 V. c. 98.

14, 15 V. c. 84—1851.

Clerk of the peace, may be appointed by the sessions, to act as clerk to visitors of private lunatic asylums, s. 4.
Et sequens. See Lunatic Asylums.

14, 15 V. c. 95—1851.

Fees of, how may be regulated, s. 26.

Penalty for taking greater fee, *ib.*

To whom to pay moneys arising from prosecutions and how to render account, s. 27.

To act as clerk of special and weekly sessions in all places where quarter sessions may be held, s. 32.

18 V. c. 92—1855.

Record in criminal cases how to be drawn up by him, s. 4.

18 V. c. 98—1855.

Provisions of 13, 14 V. c. 95, s. 2, extended to districts of Gaspé, Kamouraska and Ottawa, s. 4.

CLERK OF QUEEN'S BENCH,

10, 11 V. c. 21—1847.

Notaries not to hold office of, s. 27. (*Query whether this applies to prothonotaries of superior court, now substituted for Q. B.*) The ordinance referred to in this section (25 G. 3, c. 4) is since repealed.

CLERKS OF COURTS,

6 G. 4, c. 8—1826.—38.

To prepare lists of baptisms, marriages and burials in triplicate annually from their registers, s. 1.

Fees allowed to, and how paid, s. 2.

12 V. c. 44—1844.

Actions by, for fees, prescribed by three years, s. 1.

Prescription from what date to run, *ib.*

18 V. c. 100—1855.

(Except of commissioners' courts) disqualified from being municipal councillors, &c., s. 17, par. 1.

See also Officers of Justice, and the various subjects to which their duties relate.

CLEVELAND,

18 V. c. 100—1855.

Part of township of Shipton, erected into township of, s. 33, par. 11.

CLOSSE,

18 V. c. 3—1854.

Seignioriness, excepted from operation of this Act (seigniorial abolition), s. 35.

CLOUTIER, F.,

Bridge over river Ste. Anne, 5 G. 4, c. 35.

COAL, MEASUREMENT OF,

6 W. 4, c. 36—1836—311.

Where no agreement, coal to be sold by the chaldron or bushel, s. 1.

Chaldron or bushel, contents of, s. 2.

Bushel, dimensions of, s. 3.

Two or three bushel measure, contents of, s. 4.

Above measures to be unheaped, *ib.*

When sold by weight to be by the ton of 20 cwt., s. 5.

Previous agreements saved, s. 6.

Clerk of the hay-market (?) to decide all disputes, s. 7.

COALS, CHARCOAL, WOOD,

4, 5 V. c. 26—1841.

Maliciously setting fire to, declared felony, s. 17.

COIN, SPURIOUS, COPPER OR BRASS,

4, 5 V. c. 17—1841.

No copper or brass coin or tokens (except British) to be imported, nor any manufactured, except by permission of the Governor in council, s. 1.

Conditions for importation, or manufacture, s. 2.

Coin imported or manufactured contrary to Act to be forfeited, and party subject to penalty, s. 3.

Summari conviction for; before two justices, who may commit offender in case of non-payment of penalty, *ib.*

Persons knowingly in possession of, liable to same penalty, *ib.*

Owners liable to penalty, where party in possession proved ignorant of illegal importation, &c., s. 4.

Collector of customs authorized to seize, s. 5.

Re-exportation of, in certain cases, permitted, s. 6.

Penalty for uttering or offering in payment, s. 7.

Application of penalties, accounting clause &c., s. 8. 9. 10.

Former laws on same subject repealed, s. 11.

See also Currency.

COINS AND COINING, *See* Currency.**COLLECTOR OF CUSTOMS, *See* Customs.****COLLECTION ROLL,**

18 V. c. 100—1855.

To be made by secretary-treasurer of local municipal council, when and in what form, s. 74, p. 3.

Special to be made for special rate, p. 4.

Arrears due on, to be reported annually, p. 10.

19, 20 V. c. 101—1856.

Secretary-treasurer to give notice of completion of, and how, s. 25, par. 2.

COLLECTOR OF ASSESSMENTS,

18 V. c. 100—1855.

Secretary-treasurer of local municipal councils to be, s. 74.

How compellable to render account, *ib.*, par. 2.

COLLEGE,

See the several Colleges by their corporate names.

COLLEGE DE MONNOIR,

Incorporated, 18 V. c. 73.

COLLEGE MASSON,

Incorporated, 18 V. c. 56.

COLLEGE OF L'ASSOMPTION,

Incorporated, 4, 5 V. c. 68.

COLONIAL BANK OF CANADA,

Incorporated, 19, 20 V. c. 123.

COMMERCE AND TRADE, AND MATTERS RELATING THERETO, See Supplement and the several subjects.**COMMERCIAL CASES,**

25 G. 3. c. 2.—1785—85.

Trial by Jury allowed in, s. 9.

English rules of Evidence to govern in, s. 10.

41 G. 3, c. 15—1801—143.

Serment Décisoire allowed in.

10, 11 V. c. 11—1847.

Provincial Statute of, Limitations in such cases, and how it shall apply, ss. 1 to 7.

Statute of frauds extended to certain executory contracts, s. 8.

10 & 11 V. c. 13—1847.

Jury how may be composed in, when required, ss. 35 to 37.

But see 14, 15 V. c. 89, s. 4, par. 8.

12 V. c. 22—1849.

Recourse to be had to English Law in actions on Bills and Notes, when Canadian Law silent, s. 25.

English Laws of Evidence to govern in such actions.

Serment Décisoire, Faits et articles, &c. admitted, *ib.*

12 V. c. 38—1849.

Interrogatories on *Faits et articles* allowed in, s. 89.

14 & 15 V. c. 89—1851.

In commercial suits, Court may order on demand of either party that all the jurors be Merchants and Traders, if unopposed, s. 4, par. 8.

How if opposed, *ib.*

COMMERCIAL INTERCOURSE, See Free Trade—Reciprocity.**COMMERCIAL BANK OF MIDLAND DISTRICT, Acts relating to,**

Amended and consolidated, 19, 20 V. c. 120.

COMMISSIONERS' COURTS,

7 V. c. 19—1843.

Commissioners' courts, how may be established at any place, s. 1.

COMMISSIONERS' COURTS,

- Bailiff, militia sergeant or tavern-keeper, disqualified from being a commissioner, *ib.*
- Provisions as to courts at Montreal and Quebec, s. 2. *But said courts are abolished by 12 V. c. 38, s. 81.*
- Jurisdiction of, not to exceed £6 5s. currency, s. 3.
- Jurisdiction of, certain classes of actions excepted from, s. 4.
- Minors above 14 may sue for wages to above amount, s. 5.
- Oral testimony admissible in all cases, s. 6.
- Defendant, where may be sued when no court held at his place of residence, s. 7.
- Regulations concerning the times when and places where courts held, ss. 8, 9. *Repealed, as to Quebec, Montreal, and Town of Three-Rivers, by 12 V. c. 38, s. 81.*
- Sect. 10 is repealed by 12 V. c. 38, s. 81.*
- Summons, how issued and served, s. 11.
- Recusation of commissioners provided for, s. 12.
- Evocation and appeal, when allowed, s. 13.
- Costs, how limited, when action brought in other courts. *ib.*
- Allegation of forgery to operate as an evocation, s. 14.
- Duty of commissioners in such case, s. 15.
- Inscription *en faux* to be determined by court of Queen's Bench, s. 16. *But now by Superior Court, under 12 V. c. 38, s. 7.*
- Suits may be submitted to arbitration by consent, s. 17.
- Arbitrators, how appointed and their powers, *ib.*
- Witnesses, commissioners may summon. Penalty on, for default to attend, s. 18.
- Evidence, when to be heard. Cases where cause may be heard *instanter*, s. 19.
- Judgments may be paid by instalments, and how, s. 20.
- Execution to issue after eight days. Proceedings thereon, s. 21.
- Warrants of *saisie gagerie*, *revendication* and *arrêt* may issue. Form thereof, s. 22.
- Return day of above warrants, how limited, s. 23.
- Oppositions, &c., how decided, s. 24.
- Commissioners to have same power as other courts to preserve order and enforce execution of process, ss. 25, 26.
- Clerks: appointment, number and qualification, ss. 27, 29.
- Clerks: duty of, s. 30.
- Register of court, how kept, &c., s. 31.
- Attorneys: Bailiff, militia sergeant or clerk not to act as, in any case, s. 32.
- Attorneys: Parties, not advocates, when may act as.
- Attorneys: Penalty for taking a fee.
- Bailiff who served process incompetent as witness.
- Bailiff or sergeant only to serve summons, s. 33.
- Bailiff only to make seizures. Fees.
- Costs regulated, ss. 34, 35.
- Commissioners to act *gratis*, s. 36.
- Commissioners and clerk to take oath, s. 37.
- Commissioners and clerk, penalty for misconduct, s. 38.
- Penalties, how recovered and applied, s. 39.
- False swearing to be perjury, s. 40.
- Each commissioner to have copy of Act, s. 41.

COMMISSIONERS' COURTS,

Interpretation clause, s. 42.

Schedules 1. Form of summons; 2. Subpœna; 3. Warrant of execution; 4. *Saisie arrêt*; 5. *Saisie gagerie*; 6. *Saisie Revendication*.

14, 15 V. c. 18—1851.

May issue process of attachment. *And see* 18 V. c. 107.

14, 15 V. c. 90—1851.

Judgments of extinct courts, how to be executed, s. 2.

16 V. c. 14—1852.

Proceedings to be adopted for the discontinuance of any commissioners' court, s. 1.

16 V. c. 202—1853.

Signatures of petitioners under 16 V. c. 14, how attested.

Signatures unattested, not to be counted, *ib.*

COMMISSIONERS FOR TAKING AFFIDAVITS,

IN LOWER CANADA,

48 G. 3, c. 22—1808—116.

Any two judges of Courts of King's Bench (superior court,) may appoint, s. 5.

Affidavit taken before, to have same force as if taken in Court, *ib.*

9 G. 4, c. 27—1829—138.

May receive affidavit and arrest body and goods of Debtor in all cases where *capias* or attachment may issue—Proviso, s. 1.

To transmit duplicate of warrant to Prothonotary, s. 2.

Fees and Forms, s. 3.

8 V. c. 27—1845.

Authorized to administer oath to parties attesting memorial for registration under 4 V. c. 30, s. 1.

13, 14 V. c. 38—1850.

All *experts* and arbitrators may take oath before, without respect to distance from court, s. 1.

IN UPPER CANADA,

19, 20 V. c. 88—1856.

May be appointed by chief justice and any one judge of superior court, or in case of absence of chief justice by any two such judges, s. 1.

Affidavits taken before them, to have same effect as if taken in court, *ib.*

Proof of execution of deeds, will or probate or memorial thereof in Upper Canada may be made before, for registration in Lower Canada, s. 2. *See* Affidavits.

COMMISSIONERS OF INQUIRY,

9 V. c. 38.

On public business, may take evidence on oath.

COMMISSIONERS FOR THE ERECTION OF COURT HOUSES AND GAOLS, *See* Court Houses and Gaols.

COMMISSIONERS FOR THE ERECTION OF CHURCHES,
 &c. See Churches.

COMMISSIONER OF INDIAN LANDS,
 13, 13 V. c. 42—1850.

How appointed—his powers and duties.

COMMISSIONERS OF SMALL CAUSES,
 See Commissioners Courts.

COMMISSIONERS OF OYER AND TERMINER,
 See Oyer and Terminer.

COMMISSIONERS, SCHOOL,
 See Schools,—And generally see the matters with reference to
 which Commissioners may be appointed.

COMMISSIONS ROGATOIRES,
 31 G. 3, c. 2—1791.—99.

To Indian countries and other remote places, how may
 issue, s. 3.

Proof taken by, to be valid as if rendered in open court, s. 4.

How may be granted in vacation, *ib.*

Court may proceed however without waiting return of *ib.*

32 G. 3, c. 2—1792—100.

May issue in any part of L. C., if 30 miles from court house,
 s. 1.

Not to be given in evidence without consent, when taken
 in same county in which jury trial held, s. 3.

Witnesses—penalty on for non-attendance; how enforced,
 s. 4.

12 V. c. 38—1849.

Enquête may be taken, instead of issue of, in certain cases,
 and how, s. 30.

Above not to prevent issuing of, for examination of witnesses
 without or within L. C., at discretion of judge, s. 31.

May be issued by circuit court, s. 64.

See also Administration of Justice.

COMMITMENT,

24 G. 3, c. 1—1784—118.

Penalty on gaoler for refusing to give copy of, within cer-
 tain time, s. 5.

Penalty for re-committing party set at large by *habeas*
corpus, s. 7.

7 V. c. 21—1843.

Facts constituting party a disorderly person to be stated in,
 and in default party to be discharged, s. 5.

14, 15 V. c. 95—1851.

Form of warrant of, by justice for want of distress, s. 20.
 (Schedules G 4, N 5, O 1, Q 2, and S 2.)

To contain amount of costs and expenses, s. 22.

Warrant of, may be issued, after unsuccessful appeal in
 certain cases, s. 23.

COMMITMENT,

14, 15 V. c. 96—1851.

Party accused of indictable offence, when and where to be committed, s. 17.

Schedules H, I, L 4, P 1, T 1—Forms of warrants of.

14, 15 V. c. 100—1851.

See also *Habeas corpus* Justices of the Peace, and subjects to which commitments relate.

COMMON SCHOOLS,

4, 5 V. c. 18—1841.

A permanent fund established for the support of, to arise from the selling or leasing of school lands, s. 2.

£50,000 granted annually during the continuance of this act, as a common school fund, to be composed of the income and revenue of said permanent fund, and of such further sum as may be required to complete the same out of the provincial funds, s. 3.

Such annual grant to be called the "Common School Fund."

7 V. c. 9—1843.

The grant of £50,000 to be apportioned between Upper and Lower Canada in proportion to population, s. 1.

12 V. c. 200.

One million acres of land set apart to form a fund for Common School purposes. See Schools.

COMMON SCHOOL FUND, See School Fund.**COMMUTATION OF SEIGNIORIAL RIGHTS,**

3, 4 V. c. 30—1840.—632.

Ordinance for effecting in seigniories belonging to the Seminary of St. Sulpice.

And see St. Sulpice; also Seigniorial Tenure.

COMMUNAUTÉ des filles de la Charité, at St. Hyacinthe,

Incorporated, 9 V. c. 99.

COMMUNAUTÉ des Révérendes Sœurs de la Charité, at Bytown,

Incorporated, 12 V. c. 108.

COMMUNAUTÉ des Sœurs des Saints Noms de Jésus et Marie,

Incorporated, 8 V. c. 101.

COMMUNAUTÉ des Sœurs de Ste. Croix, at St. Laurent,

Incorporated, 12 V. c. 137.

COMMUNITY of Nuns of General Hospital, Quebec,

May hold further property, 12 V. c. 140.

COMPANIES, JOINT STOCK,

Incorporation of, for various purposes, &c.

See *The Companies by their names respectively*,—*The several objects for which they may be formed*,—and *Supplement*.

COMPANY OF PROPRIETORS, of the Champlain and St. Lawrence Railroad,

Incorporated, 2 W. 4, c. 58.

COMPANY OF PROPRIETORS of the Champlain and St. Lawrence Railroad,

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12 V. c. 38—1849.

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Declaration that parliament will not impose any duty or tax on any colony, except only for the regulation of commerce, the net produce of such duty or tax to be applied for the use of the colony, in the same manner as duties imposed by the local legislature.

Imperial Act, 31 G. 3, c. 31—1791.

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And proceeds appropriated to that purpose only, s. 37.

The said provisions may be varied by the legislature of either Province, s. 41. *They have now been so varied. See Clergy Reserves.*

Lands in Upper Canada to be granted in free and common socage only, s. 43.

Declaration in 18 G. 3, c. 12, confirmed, ss. 46, 47.

See also Proclamation dividing the province of Quebec into Upper and Lower Canada—by Sir A. Clarke.

Imperial Act, 3, 4 V. c. 35—1840.

Act to re-unite the provinces of Upper and Lower Canada, and for the government of Canada.

Proclamation to be made for the union of the two provinces, s. 1. (*The Union took place under this provision, 10th February, 1841.*)

Former acts to continue in force until proclamation, after which so much of 31 G. 3, c. 31, as provides for the constitution of a Legislative Council and Assembly in either Province, and for the making of laws, shall be repealed with the Acts 1, 2 V. c. 9—2, 3 V. c. 53, and 1, 2 W. 4-c. 23, s. 2.

Legislative Council and Assembly of Canada constituted, s. 3.

Legislative Council to consist of not less than twenty members, s. 4. *But see as to this and the other sections relative to the Legislative Council, 19, 20 V. c. 140, providing that all future Members shall be elective.*

Members to be of full age, and subjects of Her Majesty, *ib.* To hold their seats, for life, subject to certain provisions, s. 5.

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Ten members, including the speaker, to constitute a quorum, s. 10.

Speaker to have a casting vote, *ib.*

The Governor authorized from time to time to convene a Legislative Assembly, s. 11.

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Upper and Lower Canada to be represented by an equal number of representatives, s. 12.

The provisions respecting certain electoral divisions in ss. 13, 14, 15, 16, 17, 18, 19, 20, 21,—

Those respecting returning officers in ss. 22, 23,—

And those respecting the issuing of writs of election, &c., in ss. 24, 25,—are no longer in force having been altered under the provision in section 26.

Legislature authorized to alter electoral divisions and establish new; and to alter and apportion representation, and alter and regulate the apportionment of returning officers; and make provision for issuing and returning writs of election, s. 26.

The proviso to this section requiring that bills altering the number of members of the legislative assembly should be passed by a two-third vote in each house, is repealed by 17, 18 V. c. 118—(Imp. Act.) s. 5.

Laws relating to the qualification and disqualification of members (except as to property), and of electors, returning officers, elections, vacating seats, &c., in force at the passing of this Act, to continue, until altered by the legislature, s. 27.

Property qualification of members of assembly to be £500 sterling over and above incumbrances, s. 28.

Candidates at elections, when required, to declare their qualification, *ib.*

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Time and place of holding parliament to be fixed by the Governor, with power to change or vary, and to prorogue and dissolve, s. 30.

A session to be held once at the least every year, so that twelve months shall not intervene between the last sitting and the next, s. 31.

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All questions to be decided by the majority—speaker to have a casting vote, *ib.*

No member of either house to sit or vote until he shall have taken and subscribed certain oath, s. 35.

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Section 41 providing that all legislative records shall be in the English language is repealed by Imperial Act, 11, 12 V. c. 56, s. 1.

Section 42 providing that Bills affecting Ecclesiastical and Crown rights to be reserved and laid before the Imperial Parliament, is repealed by 17, 18 V. c. 118, s. 6.

Declaration of 18 Geo. 3, c. 12, touching taxation by parliament, confirmed, s. 43.

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Existing laws of either province to remain in force until repealed, s. 46.

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Certified copies of deeds, wills, &c., *sous seing privé*, registered at full length, to be evidence where originals destroyed, s. 40. See also Evidence.

CO-PROPRIETORS, See Hypothecary Actions.

COPYRIGHT, PROVINCIAL,

4, 5 V. c. 61—1841.

Repeal of former Acts, s. 1.

Of any new work, secured to the author for twenty-eight years, s. 2.

May be continued to the author or his family (as the case may be) for the further term of fourteen years, s. 3.

Provided that the title of the work be again recorded within six months after expiration of first term, *ib.*

Public notice of such extension to be given, s. 4.

A copy of the work to be deposited with the provincial registrar and recorded, s. 5.

Registrar's fee, *ib.*

Notice that the copyright is secured to be given on the title page, &c., s. 6.

Penalty of 10s. per sheet on persons printing or publishing or importing the work during the continuance of the copyright—one moiety to Her Majesty, the other to the owner, s. 7.

The like penalty for publishing or importing any copyright map, chart, or musical composition, without consent of the owner, and forfeiture of plates, &c., s. 8.

Act not to prevent the importation of foreign works, s. 9.

Any person printing or publishing any manuscript without consent of the author, if resident in the province, to be liable for damages, s. 10.

Penalty for printing or publishing any work, falsely pretending to have the copyright, s. 11.

Prosecution for penalties to be within two years, s. 12.

Act to apply to works published before its passing, s. 13.

COPYRIGHT, PROVINCIAL,

10, 11 V. c. 28—1847.

Provisions of the above Act extended to British authors, provided the work be printed and published in the province. *See also as regards Works of Art—Inventions.*

COPYRIGHT WORKS, BRITISH, PROTECTION OF,

13, 14 V. c. 6—1850.

Governor in council authorized to impose a duty not exceeding 20 per cent. upon foreign re-prints of British copyright works, s. 1.

Proceeds to belong to parties interested in copyright, *ib.*
Interpretation clause, s. 2.

CORONER,

25 G. 3, c. 2.—1785—85.

To act when sheriff personally interested, s. 14.

34 G. 3, c. 6—1794—101.

Militia officers may act as, in certain cases, s. 36.

6 W. 4, c. 15—1836—152.

Security to be given by and how, ss. 1 and 7.

4, 5 V. c. 24—1841.

Evidence to be taken in the presence of the party accused, s. 4.

Accused shall be at liberty to cross-examine, *ib.*

Witnesses to be bound by recognizance, &c., *ib.*

Coroner to be notified of application to bail, s. 5.

Penalty on, for neglect of duties under this act, s. 7.

Provisions to apply to all coroners, s. 8.

Duties and powers in holding inquest, s. 4.

Penalty for neglect of duty, s. 5.

10, 11 V. c. 13—1847.

Exempt from serving on juries, s. 22.

12 V. c. 37—1849.

Judges of court of Queen's Bench to be, for all Lower Canada, s. 27.

12 V. c. 38—1849.

In new districts how appointed, s. 12. *See also Sheriff.*

CORPORATIONS,

12 V. c. 10—1849.

General power of those created by acts of this or any future session, s. 5.

12 V. c. 38—1849.

Subject to the superintending and reforming power of Superior Court, s. 7.

12 V. c. 41.

Proceedings against, and rights of regulated.

Persons usurping or unlawfully exercising Corporate office, &c., in Lower Canada, how proceeded against, ss. 1, 6.

But see 13, 14 V. c. 36. s. 1.

Effect of judgment in favor of petitioner; may be put in possession of office by sheriff if defendant refuses, s. 7.

CORPORATIONS,

Proceedings against persons acting as, without being legally incorporated, s. 8.

And against Corporations, &c., for offending against Act of incorporation or otherwise, so as to cause forfeiture of Charter, &c., or exercising franchise, &c., not belonging to them, *ib.*

Judgment against person usurping Corporate office, what to be, &c., s. 9.

Judgment against Corporation, &c., in case of forfeiture of corporate rights, s. 10.

Curator to be appointed to property of such Corporation—His duties—Sale of property, how made and effect thereof, *ib.*

Provision in case of, refusing or neglecting to make an election, or to receive any member duly elected, or removed without cause, s. 11.

Or in case of officer of, refusing or neglecting to perform his duty, *ib.*

Or in case of representatives of any officer of, refusing or neglecting to perform act incumbent upon him as such, *ib.*

In all such cases, and in all cases where a writ of *mandamus* will lie in England, superior court or 2 judges in vacation may grant such writ, *ib.* *But see* 13, 14 V. c. 36, s. 1.

Mandamus—Proceedings on, ss. 12, 13.

Corporation not to be deemed dissolved in consequence of non-election of officers, s. 14.

Mandamus to enforce election, how may be issued and proceeded upon, *ib.*

Officers elected in virtue thereof, to have same powers, &c., as if elected within time prescribed by charter, &c., *ib.*

Number of persons necessary to vote at such election, *ib.*

Retiring officers of, to hold offices in certain cases until successors elected under this act, *ib.*

Persons entitled to vote in any municipal corporation, to be competent witnesses, s. 15.

And see Prerogative Writs.

CORPORATION OF PILOTS,

For and above the harbour of Quebec, constituted, 13, 14 V. c. 258.

Charter amended, 16 V. c. 123.

CORRECTION, Houses of, *See* House of Correction.

CORRESPONDING COMMITTEE AT MONTREAL of Colonial Church and School Society,

Incorporated, 18 V. c. 227.

COSTS,

24 G. 3, c. 1—1784—118.

Treble in addition to damages awarded where party convicted of sending prisoner out of province, s. 11.

34 G. 3, c. 6—1787—101.

Security for, only to be given by appellant consenting that execution do issue, s. 27.

COSTS,

41 G. 3, c. 7—1801—112.

Defendant may demand security for, from absentees, s. 2.

Proceedings to be stayed until put in, *ib.*

Opposant failing to prosecute opposition, to pay costs of plaintiff and all damages, s. 13.

4 G. 4, c. 19—1824—183.

In cases before justices to be registered by them, s. 3.

7 G. 4, c. 6—1827—144.

Costs of suit limited in action of damages in certain cases.

4 V. c. 30—1841—195.

Of suit incurred for common benefit of creditors, to be privileged debt, need not be enregistered, s. 2.

Amount of, need not be mentioned in judgment in order to preserve the hypothec, s. 30.

7 V. c. 19—1843.

In commissioners' courts, regulated, ss. 34, 35.

12 V. c. 38—1849.

Power of court over, in certain cases, s. 32.

Dependant on amount of action; how regulated, *ib.*

How regulated in appeal from circuit court, s. 56.

Of proof of plaintiff's allegations, payable by defendant in certain cases, s. 58.

Certificate of clerk to bill of, substituted for taxation in circuit court, s. 67. *But see* 14, 15 V. c. 18, s. 3, *requiring taxation in matters of attachment.*

In cases of confessions refused, how regulated, s. 84.

Of proof of facts or documents, by whom to be paid, s. 85.

New tariff to be made, s. 100.

To be regulated by old tariff till new is made, *ib.*

13, 14 V. c. 33—1850.

Right of Crown to recover.

In civil cases, costs to be awarded to the crown, if successful, s. 1.

If unsuccessful, Governor in Council may direct payment of costs to adverse party, s. 2.

What to be deemed a civil suit or proceeding, s. 3.

13, 14 V. c. 35—1850.

Of appeal to quarter sessions. Losing party may be condemned to pay. How recovered, s. 7. *And see* 18 V. c. 97.

13, 14 V. c. 36—1850.

In matters of *certiorari*, to be awarded to successful party, s. 2. *But see* 18 V. c. 97, s. 2.

14, 15 V. c. 54—1851.

What to be recovered by justice or public officer in action brought against them, if successful, s. 7.

14, 15 V. c. 95—1851.

Justice may award, on summary convictions, s. 17.

To be specified in order or conviction, how recovered, *ib.*

COSTS,

Distress may issue against prosecutor for, when awarded, how if distress insufficient, ss. 22, 23.

16 V. c. 194—1853.

Bidders at sheriffs' sales when may be ordered to deposit, s. 27.

16 V. c. 198—1853.

Security for costs of proof of documents which would be *prima facie* evidence, how to be given, s. 7.

18 V. c. 97—1855.

In appeal or on *certiorari* from summary convictions to be at discretion of court, s. 2.

CO-TENANTS, *See* Partition.

COUNCIL OF PUBLIC INSTRUCTION,

19, 20 V. c. 14—1856.

How may be established—Meetings—Quorum—Duties, ss. 16, 18. *And see* Schools.

COUNSEL,

5 W. 4, c. 1—1835—177.

Allowed to prisoners in capital cases. *See also* 4, 5 V. c. 24, s. 9, Criminal Law.

14, 15 V. c. 95—1851.

Parties summoned before justices may retain, s. 11.

COUNTER, J.,

May obtain a Patent for a Stove, 13, 14 V. c. 145.

COUNTERFEITING, *See* Criminal Law—Currency—Forgery, &c.

COUNTY, *See* Municipal Corporations—Registration—Representation, &c.

COUNTY COUNCILS, *See* Municipal Councils.

COUNTY DELEGATES,

18 V. c. 100—1855.

Appointment and powers of, s. 22.

Duties of, s. 49, pars. 3, 4, and *seq.*

And see Municipal Corporations.

COUNTY SUPERINTENDENT,

18 V. c. 100—1855.

How appointed and duties, s. 21. *But see* 19, 20 V. c. 101, s. 10.

Fees of, how regulated, s. 19, par. 6.

Must reside within the county, s. 21, par. 2.

Appointment of deputies, *ib.*, par. 3.

Secretary treasurer of municipality to act in absence of *ib.*, par. 5.

To visit roads, &c., when required by petition and report, s. 47.

To maintain roads, &c., and prosecute municipality for default, s. 51, par. 3.

COUNTY SUPERINTENDENT,

- To appoint valuator in place of one disqualified, s. 52, par. 5.
- Powers and duties of, s. 53, pars. 1 and 2.
- To make semi-annual examination of roads and to report thereon to local municipality, s. 54.
- To make annual report to warden of county, *ib.*, par. 3.
- Notice of inspection,—(Form CC,) *ib.*, par. 4.
- To bring actions in name of municipality against persons encroaching on roads, &c., s. 56, par. 5.
- To direct inspectors of roads, s. 57.
- May have portions of road made as models, s. 59.
- May set up mile stones; cause inspector to procure snow-plough; employ surveyors, &c., and allow footpaths, s. 63.

19, 20 V. c. 101—1856.

- May certify notices, *non. obst.* sections 8 and 9 of above Act, s. 2.
- Office of, and that of secretary treasurer may be held by one and the same person; proceedings however to be kept distinct, s. 10. *See also* Municipal Corporations.

COURT HOUSES AND GAOLS,

4 V. c. 20—1841—432.

- For the erection of, in judicial districts.
- May be erected in districts to be proclaimed under 4 V. c. 19 when necessary, s. 1. *But see* 12 V. c. 38, s. 114, *extending provisions of this Ordinance to present districts and circuits.*
- Three commissioners to be appointed by Governor in each such district, s. 2.
- Commissioners how to fix upon and contract for sites, s. 3.
- The ground to be conveyed to municipal district councils, *ib.* *But see* 18 V. c. 100, s. 19, par. 2.
- Sales of ground made by corporations, tutors, &c., to be valid, and parties indemnified, s. 4.
- Arbitrators in case of disagreement as to price, how to be named, their duties, s. 5.
- Judges of K. B. or C. P. to appoint in certain cases, s. 6.
- Property when to be held vested in municipal councils, s. 7.
- Commissioners when may enter upon, *ib.*
- Commissioners to cause court houses and gaols to be erected, s. 8.
- Plans and estimates to be approved by Governor before contract entered into—notice of 30 days for receiving tenders, how given, s. 9.
- Expenses of buildings to be defrayed out of Provincial revenue: proviso, not to exceed £50,000.
- Commissioners to account to Governor, s. 11.
- Application of moneys how accounted for, s. 12.
- Buildings when to be appropriated for courts of justice and common gaols, s. 13.
- How to be maintained and kept in repair, s. 14.
- Physicians to gaols how to be appointed, s. 15. *But see below* 18 V. c. 100, s. 19, par. 2.
- Gaoler, salary of, how fixed, s. 16.
- Gaoler, sheriff to appoint or remove, s. 17.

COURT HOUSES AND GAOLS,

Gaoler, penalty on, for suffering spirituous liquors to be used by prisoners, s. 18.

Gaoler may apprehend persons attempting to convey such to prisoners. How to be dealt with, *ib.*

Prisoners, when to be removed to said gaols, s. 19.

Gaols, when and how to be used as houses of correction, s. 20.

Interpretation clause, s. 21.

Permanent and public Act, s. 22.

Query as to powers given to municipal district councils by this ordinance, such councils having been replaced by others under different municipal Acts, and now under 18 V. c. 100.

12 V. c. 112—1812.

Erection of, at Montreal, Kamouraska, Aylmer, Chicoutimi and Gaspé, provided for, and loans authorized for the purpose, ss. 1, 2, 3.

Duty imposed on moneys paid into court or levied, s. 4.

Governor in Council may impose tax on proceedings in certain districts, s. 5. *See 14, 15 V. c. 17, authorizing an allowance to Prothonotary, &c., for collecting this tax.*

Certain fines, &c., appropriated; application of moneys; said court-houses and gaols to be under commissioners of public works, ss. 6, 7, 8.

13, 14 V. c. 37—1850.

Balance of Fee Fund to be applied to repair of, s. 14.

13, 14 V. c. 91—1850.

Moneys arising from tavern licenses appropriated to building new court-house at Montreal.

18 V. c. 100—1855.

County municipal councils to make by-laws for acquiring, constructing or maintaining, s. 19, par. 2.

18 V. c. 164—1855.

Appropriation of moneys for building, at Montreal and Aylmer.

COURTS, *See Administration of Justice—Appeals—Commissioners' Courts—Criminal Law, &c.—The several subjects to which the powers of the courts extend—and Supplement.*

COURTS MARTIAL, *See Attainder.*

CRIERS AND TIPSTAFFS,

13, 14 V. c. 37—1850.

In Q. B. and superior court in Montreal, Quebec, Three-Rivers and St. Francis, and in circuit court at Sherbrooke, to cease to receive fees for their own use, s. 8.

18 V. c. 98—1855.

Above provision extended to all circuit courts, s. 4.

CRIM. CON.,

40 G. 3, c. 7—1800—527.

Action in damages can be maintained without having first obtained criminal verdict.

CRIMINALS, EXTRADITION OF; *See* Extradition—
CRIMINAL JURISDICTION, (as regards local extent.)

36 G. 3. c. 10—1796—661.

Persons engaged in transporting goods from or to the Province of Lower Canada, and stealing during voyage may be apprehended and indicted where goods found in their custody, s. 4.

36 G. 3, c. 12—1796—174.

Warrants issued for the apprehension of felons from the Provinces of Upper Canada and New Brunswick, may be endorsed and executed in Lower Canada. *And see* 14, 15 V. c. 96, s. 7.

4, 5 V. c. 24—1841.

Offences committed on boundaries of districts, or counties, may be tried in either, s. 40.

Where, when committed during a journey, &c., s. 41.

“ when sides of a highway constitute a boundary, *ib.*

4, 5 V. c. 25—1841.

Act to extend to offences committed without the province, in certain cases, s. 68. *See also* Justices of the Peace, &c.

14, 15 V. c. 96—1851.

Provisions in case party accused escaped to Upper Canada or out of jurisdiction of justice, s. 7. *And see* 16 V. c. 179, s. 7. (Justices of Peace Act for Upper Canada.)

CRIMINAL LAW, ADMINISTRATION OF, AND PROCEDURE, (GENERALLY),

Imp. Act 14 G. 3, c. 83.

Criminal law of England to be in force, subject to amendment by provincial legislature, s. 11.

29 G. 3, c. 3—1789—97.

Copies of proceedings, evidence, charge, verdict, &c., to be transmitted to the Governor, in cases where the punishment exceeds a fine of £25 stg., s. 5.

And see as to Courts of Oyer and Terminer, 34 G. 3, c. 6, ss. 4, 5, 6. *But see below* 4, 5 V. c. 24, s. 32, *providing that the Report need not be made before execution in capital cases.*

39 G. 3, c. 9—1799—178.

Crown witnesses when and how paid, s. 24. *But see* 2 V. (3) c. 56.

41 G. 3, c. 9—1801—84.

Punishment of women for certain crimes. *But see* 4, 5 V. c. 27. ss. 2, 3, 4, *abolishing crime of Petit Treason—* 4, 5 V. c. 24, s. 18, *as to Forfeiture.*

44 G. 3, c. 7—1804—178.

Witnesses before grand jury how sworn,

52 G. 3, c. 3—1812—49,

English Act 21 Jac. 1, repealed, s. 1.

Trials of women charged with murder of their bastard children how proceeded with, s. 2.

CRIMINAL LAW, ADMINISTRATION OF, AND PROCEDURE, (GENERALLY),

Jury may find prisoner guilty of concealing birth, though acquitted of the murder, s. 3. *See also* 4, 5 V. c. 27, s. 14.

57 G. 3, c. 10—1817—78.

Substitution of punishment for burning in the hand, s. 4.

But see below 4, 5 V. c. 24, s. 9, abolishing Benefit of Clergy.

6 G. 4, c. 5—1826—83.

Court in certain cases may abstain from pronouncing sentence of death, but may order judgment to be recorded, s. 1.

Effect of record of such judgment, s. 2. *See also* 4, 5 V. c. 24, ss. 33, 34.

5 W. 4, c. 1—1835—177.

Prisoners accused of capital crimes may employ counsel to defend him. *See also* 4, 5 V. c. 24, s. 9.

2 V. (3) c. 9—1839—84.

Sentence of death in cases of murder may be pronounced as in other cases; &c., s. 2. *See also* 4, 5 V. c. 24, s. 32.

2 V. (3) c. 23—1839—177.

Practice of permitting defendants to traverse indictments for misdemeanors, before courts of *oyer and terminer*, abolished.

2 V. (3) c. 56—179.

Crown witnesses in cases of felony and misdemeanor to be paid by sheriff on order of court.

Order when only to be given. *Many of the provisions of the above Acts of Lower Canada, though not expressly repealed appear to be superseded by later Acts.*

4, 5 V. c. 24—1841.

Act for improving the administration of criminal justice.

Any person charged with felony, may, on strong presumptive evidence, be committed by one or more justices, s. 1.

If only one justice present, and evidence not conclusive, party to be detained and taken before two justices, *ib.*

When taken before two justices, and the evidence not amount to a strong presumption but sufficient for inquiry, such party may be admitted to bail by such two justices, *ib.*

Before bail or commitment, examination of the party, and information of witnesses, to be taken in the presence of the party accused, s. 2.

Witnesses may be summoned and bound over to appear, *ib.*

Examinations, &c., to be subscribed by the justice or justices and delivered to the proper officer before trial, *ib.*

Duty of justices on charges of misdemeanor, s. 3. *See also* Justices of the Peace, as to proceedings before them in the cases mentioned in this Act.

No traverse or postponement of trial allowed in misdemeanor except upon special cause shewn, *ib.*

Coroners upon inquisitions in cases of manslaughter or murder, &c., to put the evidence in writing in presence of the party accused, if he can be apprehended, s. 4.

And may bind over witnesses, *ib.*

CRIMINAL LAW, ADMINISTRATION OF, AND PROCEDURE, (GENERALLY),

Coroners to certify and subscribe such evidence, &c., and deliver the same to the proper officer before trial, *ib.*

When a party has been committed and applies for bail before a superior court, the committing justices, on notice thereof to forward a certified copy of all informations, &c., to the clerk of the crown, s. 5.

The same order to be made by the judge as upon *habeas corpus*, s. 6.

Penalty on justices and coroners for neglect, in discretion of the court, s. 7.

Provisions of this act to apply to all justices and coroners, s. 8.

Persons tried for felony, may defend by counsel, s. 9.

Counsel allowed in cases of summary conviction, s. 10.

Court may order prisoners, or debtors upon the limits, to be brought up, s. 11.

Prisoner on limits not to be removed beyond them, *ib.*

Prisoners entitled to copies of depositions on payment of charges, s. 12.

Entitled upon trial to inspect depositions, s. 13.

Plea of "not guilty" sufficient to put party on trial without further form, s. 14.

In case of refusal to plead, the court may order such plea to be entered, s. 15.

Every challenge beyond the legal number to be void, s. 16.

Attainder of another crime not pleadable in bar, s. 17.

Jury not to inquire of prisoner's lands, &c., nor flight, s. 18.

Benefit of clergy abolished, s. 19.

What felonies only shall be capital, s. 20.

Every punishment for felony (not capital) after it has been endured, shall operate as a pardon, s. 21.

No misdemeanor (except perjury) shall render a party incompetent as a witness after punishment endured, s. 22.

Officers of the court to be paid their fees out of the public funds, s. 23.

No fees demandable or payable by a party charged with felony, *ib.*

All felonies (not capital) to be punishable under the act relating thereto; but if there be none, and in cases not provided for, then under this act, s. 24.

Persons unlawfully returning from banishment or transportation to be guilty of felony, and how punishable, s. 25.

Allegation of sentence, &c., to be sufficient in any indictment without alleging indictment or conviction, &c., s. 26.

Certificate of clerk of the court of such sentence to be sufficient evidence, s. 27.

Court may order hard labour as well as imprisonment and solitary confinement in cases under this act, s. 28.

A second sentence may be passed upon convict to commence after the expiration of the first, s. 29.

Punishment in case of subsequent conviction for felony, s. 30.

Punishment of the pillory abolished, s. 31.

No report necessary to the Governor in cases of capital conviction, s. 32.

CRIMINAL LAW, ADMINISTRATION OF, AND PROCEDURE, (GENERALLY),

Sentence of death may be recorded, only, in certain capital convictions, in the discretion of the court, s. 33.

Such record to have the effect of sentence pronounced, s. 34.

Court to order execution in certain cases, s. 35.

Royal prerogative of mercy not to be affected, s. 36. *See 14, 15 V. c. 2, s. 4, as to commutation of sentence of death, and the enforcement of the terms.*

Accessories before the fact, how tried, s. 37.

Accessories after the fact, how tried, s. 38.

Accessories may be convicted without attainder of principal if such principal be in anywise convicted, s. 39.

Offences committed on the boundaries of districts, &c., may be tried in either, s. 40.

Committed during a journey or voyage, where tried, s. 41.

Where sides of any highway constitute boundaries, offenders may be tried in either district, *ib.*

Partnership property may be laid in the name of one partner in indictments, s. 42.

Indictments relating to churches, bridges, or public buildings, need not allege property in any person, s. 43.

Property of turnpike trustees may be laid in their names, s. 44.

Indictments not to abate by plea of misnomer, &c., but may be amended in court, s. 45.

Indictments after verdict not to be vitiated for certain defects, s. 46.

Judgment not stayed or reversed after verdict for certain formal defects, s. 47.

Free, or conditional pardon, effect of, s. 48.

Recognizances not to be estreated in certain cases without judge's order, s. 49.

Rule of interpretation for this and all criminal law acts, s. 50.

Repugnant Acts repealed, s. 51.

Imprisonment in the Penitentiary to be reckoned from the date of sentence, s. 52.

6 V. c. 5—1842.

For better proportioning the punishment to the offence.

Cases in which offender may be sent to penitentiary for less than three years, ss. 2, 3. *But see also 14, 15 V. c. 2, s. 2.*

Imprisonment in penitentiary substituted for transportation, s. 4.

Assault, with intent to commit rape, &c., how punishable, s. 5.

9 V. c. 35—1846.

Witnesses residing in the Province but out of the jurisdiction may be summoned, on criminal trials.

12 V. c. 10—1849.

Punishment for offences against any acts of this or any future session, when the act is silent, s. 5, par. 15, 16.

12 V. c. 21—1849.

Indictment for stealing may contain a count for feloniously receiving, &c., s. 1.

CRIMINAL LAW, ADMINISTRATION OF, AND PROCEDURE, (GENERALLY),

Prosecutor not to be put to his election, but verdict of guilty may be found on either, *ib.*

As to indictment against two or more persons, *ib.*

Indictment may in all cases be amended by order of court in matters of variance as to writings produced, s. 2.

12 V. c. 37—1849.

Court of Q. B., established for Lower Canada, s. 2.

Criminal Jurisdiction of on Crown Side, Admiralty matters excepted, s. 24.

Powers of court and judges, s. 25. *And see* 34 G. 3, c. 6, s. 2 and 35 G. 3, c. 1, ss. 5, 6.

Exception: Proviso as to removal of causes and district of Gaspé, *ib.*

What laws to govern court, &c., s. 26. *And see* 27 G. 3, c. 1.

Terms of; number; exception as to Gaspé, Ottawa and Kamouraska—Cases pending when new districts are proclaimed, s. 31.

Quorum, what to be; their powers, s. 32.

Judges of Superior Court, when may hold, s. 33.

Terms when and where to be held, s. 34.

Terms to be continued until business closed; may adjourn to any day before next term, s. 35.

Terms extraordinary, how may be held by proclamation, s. 36.

Records of former courts how transmitted to this, s. 37.

Judgments of former courts to remain valid; pending matters to be transferred, s. 38.

Process &c., returnable to former courts, how to be returned; Gaspé excepted, s. 39.

And see Administration of Justice, *under which title the provisions of the above act are more fully referred to.*

18 V. c. 92—1855.

Indictments amendable at trial in matters of variance immaterial to the merits, s. 1.

Proceedings after amendment, *ib.*

Proviso as to challenges in case of a second jury, *ib.*

After amendment, verdict and judgment to have the same effect as on original indictment, s. 2.

Formal record, when necessary, after amendment, may be drawn up without noticing amendment, s. 3.

Record of conviction, or acquittal, how to be drawn up, s. 4.

Judges may make further rules, *ib.*

Indictment need not be on parchment except in cases of high treason, s. 5.

What averment sufficient in indictment for murder, s. 6.

“ for manslaughter, *ib.*

What a sufficient description of instrument in indictment for forging, uttering, stealing, &c., any, s. 7.

What in indictment for engraving or having possession of any plate or paper, &c., s. 8.

What in other cases where averment of instrument necessary, s. 9.

CRIMINAL LAW, ADMINISTRATION OF, AND PROCEDURE, (GENERALLY),

General allegation of intent to defraud, sufficient, without alleging any particular person, s. 10.

What sufficient proof in such cases, *ib.*

Punishment for obtaining property with intent to defraud, s. 11.

What averment of false pretences sufficient in indictment, s. 12.

Persons indicted for felony or misdemeanor, may be found guilty of the attempt only; and how punishable, s. 13.

Not to be tried again on the same facts, *ib.*

Upon trial for larceny, accused may be found guilty of obtaining property under false pretences, and how punishable, s. 14.

Not to be tried again on same facts, *ib.*

Provision where the indictment is for misdemeanor, and the evidence proves a felony, s. 15.

Court may order new trial in its discretion, *ib.*

Where the indictment is for embezzlement, and the evidence proves a felony, or *vice versa*, s. 16.

Punishment, *ib.*

Party not to be tried again upon the same facts, *ib.*

Where persons indicted for receiving jointly are proved to have received separately, s. 17.

Any number of accessories or receivers may be tried, altho' indictment does not include principal felon, s. 18.

Where indictment for larceny is for one taking, and several takings appear, s. 19.

What averments and proof sufficient under indictment referring to money or bank notes, s. 20.

And in cases of embezzlement, *ib.*

What averments shall be sufficient in indictments for perjury, s. 21.

What sufficient in indictments for subornation of perjury, s. 22.

Where the perjury has not been actually committed, *ib.*

What shall be sufficient evidence of the trial at which the perjury is alleged to have been committed, s. 23.

Venue, how to be stated in indictments, s. 24.

Matters unnecessary to be proved need not be averred, s. 25.

Objections founded on formal defects, when to be taken, and how amended, s. 26.

Form of plea of *autre-fois convict* or *acquit*, s. 27.

Punishment of persons found by night armed, or having instruments for housebreaking, or disguised, in any house, s. 28.

Administering chloroform with intent to commit felony, to be felony, s. 29.

Punishment therefor, *ib.*

Unlawfully and maliciously wounding, with or without any weapon, or unlawfully and maliciously cutting, stabbing or wounding any person, misdemeanor, and how punishable, s. 30.

CRIMINAL LAW, ADMINISTRATION OF, AND PROCEDURE, (GENERALLY),

Defendant indicted for felony by cutting, stabbing or wounding, may be found guilty of cutting, &c., though the felony be not found, s. 31.

Punishment therefor, *ib.*

Maliciously doing certain things to cause accidents upon railways, felony, s. 32.

Punishment therefor, *ib.*

Maliciously throwing, &c., any thing against a railway carriage with intent to injure any one, felony, s. 33.

Punishment therefor, *ib.*

Setting fire to stations, &c., or goods therein, felony, s. 34.

Punishment therefor, *ib.*

Setting fire to stacks of corn, grain, coals, wood, &c., felony, s. 35.

Punishment therefor, *ib.*

Stealing passage tickets for railways, steamboats, &c., felony, s. 36.

Punishment therefor, *ib.*

Forging or uttering such tickets, felony, s. 37.

Punishment therefor, *ib.*

Obtaining passage on railways, steamboats, &c., by false tickets, misdemeanor, s. 38.

Punishment therefor, *ib.*

Commission of the peace need not be read at opening of quarter sessions in Upper Canada, s. 39.

Any person may arrest offenders against this Act found committing any offence, or any indictable offence, in the night, s. 40.

Punishment of offenders assaulting persons arresting them, &c., s. 41.

Night, what shall be deemed in cases under this act, s. 42.

Sects. 43, 44, 45—related to U. C. and are repealed.

Interpretation clause, s. 46.

Forms of indictment which may be used, s. 47.

See also Challenge—Forgery—Habeas corpus—Jurors—Justices of the Peace—Larceny—Malicious injuries to property—Malicious injuries to the person—Oyer & Terminer—Penal Actions—Penitentiary—Quarter Sessions.—*the several offences and proceedings, &c., by name,—and Supplement.*

CRIMP, See Seamen.

CROWN

4 V. c. 30—1841—195.

Legal or tacit hypothec allowed in favor of, s. 29.

To be bound by the Registry Laws, s. 52.

Memorials on behalf of, how and by whom to be registered, *ib.*

10, 11 V. c. 17—1847.

Property of, exempt from local rates and taxes, s. 1.

Arrears accrued before passing of Act to be paid, *ib.*

12 V. c. 10—1849.

Rights of always understood to be reserved in Acts of this and future sessions, unless otherwise expressed, s. 5.

CROWN,

13, 14 V. c. 33—1850.

Right of, to recover costs.

In civil cases costs to be awarded to, when successful, s. 1.
 If unsuccessful, Governor in Council may direct payment of costs to adverse party, s. 2.

What to be deemed a civil suit or proceeding, s. 3.

CROWN, DEMISE OF,

7 V. c. 3—1843.

Provincial parliament not to be dissolved by, s. 1.

Saving Her Majesty's rights, *ib.* s. 2. *See also* Public Officers.CROWN LANDS, *See* Public Lands.

CROWN SEIGNIORIES,

18 V. c. 103—1855.

Schedules how may be made for, s. 8.

19, 20 V. c. 53—1856.

Lods et ventes abolished from 30th May, 1855, s. 11, par. 1.

Crown Agents in collection of Revenue to be guided by decisions of Seigniorial Court, s. 11, par. 2.

Unconceded lands when granted to be held *en franc aleu roturier*, s. 11, par. 3. *And see* Seigniorial Tenure.

CROWN WITNESSES,

See Administration of Justice—Witnesses.

CRUELTY TO ANIMALS,

2 V. (1) c. 2—1839—163.

How punished, s. 11, and *see* 18 V. c. 100, s. 25—*See also* Animals—Police.CULLING TIMBER, *See* Lumber.

CURATORS,

34 G. 3. c. 6—1794—101.

Appointment of, how may be made before a Notary or other fit person, s. 9. *But see below* 14, 15 V. c. 58 s. 4, and 18 V. c. 17.

41 G. 3, c. 7.—1801—112.

Appointment by a single Judge may be set aside by Court, s. 18.

48 G. 3, c. 22—1808—116.

Oath of office to, may be administered by notary, &c., delegated, s. 4.

9 G. 4, c. 20—1829—191.

Duty and liability of, with respect to filing oppositions to confirmation of titles, s. 7.

4 V. c. 30—1841—195.

Appointment of, against whom to be inoperative unless registered, s. 1.

Appointment of, how registered by memorial, ss. 10 to 12.

Must cause hypothecs created by their appointment to be registered;—Penalty, s. 21.

CURATORS,

Cannot maintain certain actions until after such registration,
s. 24.

Legal or tacit hypothec allowed against them, s. 29.

12 V. c. 38—1849.

May be appointed by circuit court, s. 74.

12 V. c. 41—1849.

How and when appointed to the property of corporations
adjudged to have forfeited their corporate rights—duties
of, s. 10.

12 V. c. 42—1849.

How to be appointed to property abandoned by defendant
arrested under *ca. re.*, s. 6.

Power of such, s. 7.

14, 15 V. c. 58—1851.

Notary may call meeting, to appoint in certain cases, without
being authorized by judge.

Proceedings at such meeting. *But see below*, 18 V. c. 17.

16 V. c. 91—1853.

Judges to have power to homologate or refuse to homologate
appointment of before notaries under foregoing Act.

18 V. c. 17—1854.

Notary may, without authority from a judge, call or preside
at meetings for appointment of, and receive advice in all
cases in which by law a judge may delegate his powers.
Report of proceedings to be made to judge for homologation.
And see *Avis de Parens*.

CURÉ,

9 V. c. 27—1846.

When to be school commissioner, s. 25.

CURRENCY,

12 V. c. 20—1849.

Counterfeiting any coin, current in the province, to be a
misdemeanor; second offence, felony, s. 1.

Certain differences between true and false coin, not to be
ground of acquittal, s. 2. *See also* 16 V. c. 158.

16 V. c. 158—1853.

Certain former Acts repealed, s. 1.

Legal denominations of money to be pounds, dollars, shil-
lings, pence, cents and mills, s. 2.

Pound, currency, value of, s. 3.

Dollar, " " *ib.*

Certain gold coins to be a legal tender, *ib.*

Pound, sterling, to be equal to £1 4s. 4d., or \$4.86 $\frac{2}{3}$ cur-
rency, s. 4.

British sovereign, and other gold coins, of lawful weight, to
be a legal tender at the said rate, *ib.*

Proviso, as to the meaning of the word "sterling" in con-
tracts, &c., before passing this Act, s. 5.

Public accounts to be kept in such of the denominations as
Her Majesty shall direct, s. 6.

CURRENCY,

- Silver coins may be coined at the mint, for this province, s. 7.
- Silver coins of the United Kingdom, their legal value, &c., s. 8.
- No other silver coins to be legal tender, *ib.*
- Tender of silver coin limited to £2 10s., s. 9.
- What copper coin shall be a legal tender, s. 10.
- Tender of copper coin limited to one shilling, *ib.*
- Rates at which American gold coin shall be current, s. 11.
- And other foreign gold coin, s. 12.
- Counterfeiting coin, or uttering counterfeits &c., to be a misdemeanor, s. 13.
- Subsequent offence to be felony, *ib.*
- Making dies, stamps, &c., for counterfeiting, or having same in possession, to be a misdemeanor, s. 14.
- Warrants to search for, may issue, s. 15.
- Counterfeit coin tendered in payment may be broken, s. 16.
- Produced in court, to be broken, s. 17.
- Wilfully tendering light gold coin, to be a misdemeanor, s. 18.
- Evidence, s. 19.
- Commencement of act to be fixed by proclamation, s. 20.
- This Act came into force on the 1st August, 1854, under Proclamation dated 5th July, 1854.*

CUSTOM-HOUSE OFFICERS,

25 G. 3, c. 2—1785—85.

- Exempt from serving on juries, s. 23. *And see* 10, 11 V. c. 13, s. 22. *See* Customs.

CUSTOMS,

10, 11 V. c. 31—1847.

- Act to repeal and consolidate laws relating to commencement of Act, s. 1.
- Certain former Acts repealed, s. 2.
- Section 3 which declared Duties imposed by this Act to be in lieu of all duties, is repealed by 12 V. c. 1.*
- Currency, weights, and measures, s. 4.
- Management Act, 8 V. c. 4, to apply to duties under this Act, s. 5.
- Regulations and orders, not inconsistent, to remain in force, s. 6.
- Officers, new appointments of, not required, bonds to remain in force, s. 7.
- Goods not to be unladen, except after due entry, under penalty of forfeiture, s. 8.
- At what places only goods may be imported, s. 9.
- Goods forfeited, if carried past the custom-house, or removed before permit, &c., *ib.*
- Vessel forfeited in certain cases, *ib.*
- Detainer of vessel, *ib.*
- Forfeiture of carriage, &c., if goods imported by land, &c., *ib.*
- Report to be made by the master of vessel, arriving from sea, or coastwise, s. 10.

C U S T O M S,

Penalty for contravention, *ib.*

Goods not reported, to be forfeited, *ib.*

Governor in council may declare what shall be a coasting voyage, *ib.*

What inland navigation, *ib.*

May relieve coasters, *ib.*

Proviso as to lightening vessels, *ib.*

Report to be made on importation by land, or inland navigation, s. 11.

Goods unladen, &c., without being reported, to be forfeited, *ib.*

Penalty for untrue report, &c., *ib.*

Within what time entries shall be made of goods brought by sea, or from any place without the province, s. 12.

When brought by inland navigation, *ib.*

In undecked vessels, *ib.*

Bill of entry inwards; or outwards, *ib.*

Duties to be paid down, unless goods warehoused, *ib.*

Warrant for unlading, and permit, if required, *ib.*

For want of entry, goods may be taken to the warehouse and sold if duties not paid within a certain time, *ib.*

Proviso, where goods not landed at the first port, *ib.*

Entry inwards by bill of sight, how, and in what cases, s. 13.

Deposit of money for duty, *ib.*

Provision, where perfect entry not made as stipulated, *ib.*

Written authority of agent may be required, s. 14.

Agent's acts to bind the principal, *ib.*

Section 15 relating to the value for ad valorem duties, is repealed by 12 V. c. 1, s. 1; which see.

Collector may require further proof of proper entry, &c., s. 16.

Packages containing contents unknown may be opened, s. 17.

Goods not corresponding with entry to be forfeited, s. 18.

Suspected packages may be opened, *ib.*

Abatement; on damaged goods, s. 19.

Damages, how ascertained, *ib.*

Remuneration to the examiners, *ib.*

Return of duties on goods lost, &c., s. 20.

Crown goods, and others exempt from duties to become liable to duty if sold, s. 21.

Forfeiture of, if duties not paid, *ib.*

Allowance for tare, &c., to be fixed by Governor in Council, s. 22.

What shall be warehousing ports, s. 23.

Goods may be entered for export, or warehoused, without payment of duties, subject to regulations, s. 24.

Sorting, and repacking, &c., *ib.*

Samples may be taken, *ib.*

Goods may be removed to any other warehouse under bond, &c., *ib.*

Passing onwards from a frontier port, *ib.*

Goods to be finally cleared within two years, *ib.*

Exception, *ib.*

Otherwise, may be sold, *ib.*

Warehouse rent, *ib.*

Whole packages may be abandoned for duties, *ib.*

CUSTOMS,

- Goods taken out of bond for export, and reloaded, &c., to be forfeited, s. 25.
- Goods taken out of warehouse, liable to the same duties as if then imported, s. 26.
- Cattle and swine may be slaughtered, &c., and grain ground, in bond, under certain regulations, s. 27.
- Proviso, as to flour, meal, and provisions, *ib.*
- Property in bond, how transferable, s. 28.
- Transfers to be entered by collector in a book open to the public, *ib.*
- Sales to be of whole packages only, *ib.*
- Allowance for leakage, &c., s. 29.
- Charges for unshipping, landing, &c., to be paid by importer, s. 30.
- Entry of vessel, outwards, how made, &c., s. 31.
- Penalty for leaving without a clearance, &c., *ib.*
- Goods entered for warehousing, to be deemed warehoused in certain cases, s. 32.
- Bond to be given on entry for exportation, s. 33.
- Duty-paid goods may be marked, s. 34.
- Penalty for forging marks, &c., or selling goods with counterfeit marks, s. 35.
- Penalty for counterfeiting or using counterfeited papers, &c., s. 36.
- For forging certificates, *ib.*
- Offering goods for sale, pretended to have been smuggled, subject to forfeiture, and penalty, s. 37.
- Officers of customs, or persons employed under 8 V. c. 4, to be deemed employed for prevention of smuggling, s. 38.
- With power to search, &c., *ib.*
- “ to detain vessels, carriages, &c., *ib.*
- “ to seize in certain cases, *ib.*
- “ to call on persons to assist, *ib.*
- Reasonable cause of suspicion to be a justification, *ib.*
- Penalty for refusing to stop, *ib.*
- Penalty for refusing to assist, *ib.*
- Certain offences made felony, s. 39, viz :
- Obstructing, assaulting or resisting officers, &c.
- Firing at H. M. vessels.
- Wounding persons in H. M. service.
- Having goods liable to seizure and being armed or disguised.
- Destroying vessels, or goods.
- Or any custom house, &c.
- Company of persons (five or more together) found with smuggled goods, to be guilty of misdemeanor, s. 40.
- Penalty for hiring persons to assist in smuggling, s. 41.
- Vessels found hovering within one league of the coast may be boarded and examined, s. 42.
- Continuing to hover 24 hours, may be brought into port, *ib.*
- Penalty for not obeying the officer boarding, *ib.*
- Penalty for harbouring smuggled goods, s. 43.
- Vessels, &c., used in conveying goods liable to forfeiture, to be forfeited, s. 44.
- Penalty for assisting in landing, &c., such goods, *ib.*

C U S T O M S,

- Persons taking away goods, &c., seized, to be guilty of felony, s. 45.
- To what place goods seized are to be taken, s. 46.
- Smuggled goods stopped on suspicion of being stolen and taken to police office, how dealt with, s. 47.
- Penalty on police officer neglecting to obey this section, *ib.*
- Vessels and goods, &c., seized, to be deemed condemned if not claimed within a certain time, s. 48.
- May be delivered to owners, on security given, *ib.*
- Offenders under this act, to give security for penalties and costs, or be imprisoned, s. 49.
- Full costs of suit to be recovered by parties suing for penalties, *ib.*
- Penalties and costs, how levied, *ib.*
- Governor in council authorized to make regulations for passing goods through the provincial canals, &c., s. 50.
- Forfeiture of, for contravention, *ib.*
- In what courts penalties shall be recovered, s. 51.
- In whose name prosecutions to be brought, s. 52.
- Mode of conducting such prosecutions, *ib.*
- Appropriation of penalties and forfeitures, *ib.*
- Power to remit any penalty or forfeiture, *ib.*
- Proof of duties paid, to lie on the owner, s. 53.
- A certain averment as to the Port shall suffice, s. 54.
- Cattle and perishable articles seized may be sold, s. 55.
- Proceeds restored if the seizure declared null, *ib.*
- Proviso: Such cattle or articles may be delivered to the owner upon giving security, *ib.*
- How claim to be entered, s. 56.
- Claim to things seized not to be valid unless security given; for penalty and costs, s. 57.
- Notice of information, exhibited, to be put in the custom-house, and in the office of the clerk of the court, s. 58.
- Hearing of the cause, *ib.*
- Claims to goods, &c. must be made within a certain time, *ib.*
- Sales to be by public auction, s. 59.
- Notice of action against any officer to be given, s. 60.
- What evidence adduced at trial, *ib.*
- Officer may tender amends, or pay money into court, and to have full costs if successful, s. 61.
- Limitation of actions, s. 62.
- Plaintiff to recover nominal damages only without costs if probable cause of seizure &c., certified, ss. 63, 64.
- Penalties to be sued for within three years, s. 65.
- Appeals to lie as in other cases, s. 66.
- Goods to be restored upon appeal, when security given, but the crown need not give security, s. 67.
- Penalty for false declaration or answer where not otherwise provided, s. 68.
- Writs of assistance, how obtainable, s. 69.
- Permit certifying duties paid, to be granted on request of owner, s. 70.
- Any officer conniving at evasion of revenue laws, or accepting bribe, &c. to forfeit £500, and be incapable of holding office, s. 71.

CUSTOMS,

Penalty £500 for bribing any officer, *ib.*

Governor in council authorized to make regulations for slaughtering cattle—grinding corn, &c. in bond,—branding or marking goods—tare—coasting trade—ports of entry—passing canals—exempting produce of grain or logs from duty—warehouses—transfer of goods in bond, &c.—distribution of penalties,—and other purposes, s. 72.

All such general regulations to have the effect of special orders, *ib.*

May authorize the taking of bonds, *ib.*

Penalties for contravention thereof, s. 73.

Copies of orders in council to be evidence thereof, s. 74.

Bonds, by whom to be taken, s. 75.

To be given before delivery of goods, *ib.*

Blank forms to be kept at the custom house, s. 76.

Duties overpaid not returnable after three years, s. 77.

Time of importation, &c. defined, s. 78.

“ of exportation, *ib.*

“ arrival and departure of vessels, *ib.*

Interpretation clause, s. 79.

The duties payable under this Act were repealed and others substituted by the next Act.

12 V. c. 1—1849.

The 3rd and 15th sections of the 10, 11 V. c. 31, 1847, repealed, s. 1.

New duties (as per schedules) imposed instead of those levied under the above act, s. 2.

Section 3 is repealed by section 2 of 16 V. c. 85.

Unenumerated articles to bear the same duty as similar enumerated articles, s. 4.

Packages to be deemed goods, *ib.* (*See also 16 V. c. 85, s. 3.*)

Appraisers to be appointed for the valuation of goods, subject to *ad valorem* duties, s. 5.

Appraiser's oath, *ib.*

If no appraiser appointed, collector to act as such, *ib.*

Section 6 providing how ad valorem duty shall be estimated is repealed by 16 V. c. 85, s. 3.

Entry, without invoice, insufficient, except in certain cases.

Bond to be given for producing invoice, where goods entered by bill of sight, s. 7.

Invoice to be attested by oath of owner, &c., s. 8. (*See also 16 V. c. 85, s. 5.*)

Bill of entry to mention value for duty, and to be attested, *ib.*

Party entering may add to the value by invoice, so as to state true value, s. 9.

Provision in case of the death, &c. of the owner, importer, &c., s. 10.

Where more than one owner, s. 11. (*See also 16 V. c. 85, s. 5.*)

Before whom attestations may be made, s. 12.

Governor in council may appoint other persons, or relax requirements as to oath, *ib.*

CUSTOMS

Act not to apply to absent owners during limited period, s. 13.

Appraiser or collector may examine owner, &c. as to the true value of goods, s. 14.

Penalty £12 10s. for refusing to attend, *ib.*

Goods to be forfeited in case of false swearing, *ib.*

Importer may appeal against appraisement, and appraisement to be then made by two merchants, &c., s. 15. (*See also* 16 V. c. 85, s. 3).

One-half more duty to be collected where additional value ascertained by appraisement exceeds 20 per cent, *ib.*

Collector authorized to take goods for duties, s. 16.

Collector may take the whole, or any distinct parcel of goods, at the prices mentioned in bill of entry, adding 10 per cent and charges, s. 17.

Goods so taken, how to be dealt with, *ib.*

Collector may cause packages to be opened, s. 18.

Goods to be forfeited where not invoiced, undervalued, or false statement on entry, &c.

Smuggling goods, or using forged or fraudulent invoice to evade duty, to be a misdemeanor, and subject to a penalty not exceeding £50, s. 19.

Value of goods, duty free, to be stated in bill of entry, s. 20.

Governor may require statistical information as to exports, to be given to the officer of customs, s. 21.

Bonds for duties on warehoused goods may be dispensed with in certain cases, s. 22.

Attorney or agent may act in certain cases, s. 23.

Any one partner may bind the firm, &c., s. 24.

Not less than a certain quantity to be taken out of warehouse at one time, s. 25.

How monies due to the Crown under this Act in Lower Canada, may be recovered, s. 26.

Regulations made by Governor in council may require oaths, &c., s. 27.

Affirmation may be made instead of oath, s. 28.

This Act to be construed as part of the amended Act 10, 11 V. c. 31, s. 29.

Bonds given for ordnance stores in 1848, to be void, and no duties payable, s. 30.

Duties may be increased by Governor in council when required to maintain the public faith, s. 32.

Schedules of duties and forms. *But see the following Act amending the Schedule of Duties*

13, 14 V. c. 3—1850.

Governor in council may declare articles being the growth, or produce of British North American provinces, to be or not to be subject to duty, s. 1.

But not to impose duty on articles otherwise free, *ib.*

13, 14 V. c. 5—1850.

Articles not enumerated in schedule to 12 V. c. 1 may be admitted, subject to 2½ per cent. duty, by order in council,

3. 1. *Military clothing, wines, &c. to be free, s. 2.*

CUSTOMS,

16 V. c. 85—1853.

- Certain duties imposed by 12 V. c. 1, 1849, reduced, s. 1.
 Certain other articles to be admitted at 2½ per cent, *ad valorem*, *ib.*—See 19, 20 V. c. 10, as to duties on Sugars, Molasses & Wines.
 Duty on salt repealed, *ib.*
 Seeds of all kinds to be free, *ib.*
 Section 3 of 12 V. c. 1, repealed, s. 2.
 Part of the 4th section of same act, relating to packages, repealed, and new provisions substituted, s. 3.
 Sixth section of same act repealed, *ib.*
Ad valorem duty, how calculated, *ib.*
 Cost of appraisement under the 15th section to be paid by the party dissatisfied with former appraisement whenever the additional value shall exceed 10 per cent of the invoice or bill of entry, *ib.*
 What duties payable on spirits flavored, s. 4.
 Sections 8, 11 of the 12 V. c. 1, 1849, explained as to verification of invoices, s. 5.
 Governor in council may declare what duty payable in doubtful cases; or, that goods are duty free, s. 6.
 Warehoused goods fraudulently concealed or removed to be forfeited—and parties concerned liable to penalties for smuggling, &c., s. 7.
 Any importer &c. fraudulently entering any warehouse to forfeit £250, *ib.*
 Penalty £125 for altering or defacing any official mark, *ib.*
 This act to be construed as one act with the 10, 11 V. c. 31 and 12 V. c. 1, s. 8.

18 V. c. 1—1854.

- Articles mentioned in schedule to be free from duty while reciprocity treaty with United States is in force, s. 1.
 Governor in council may make orders for carrying out the treaty, s. 2.
 Act 12 V. c. 3 repealed, s. 3.
 Schedule of articles duty free.

18 V. c. 5—1854.

- Specific and *ad valorem* duties imposed by 12 V. c. 1, 1849, and 16 V. c. 85, 1853, on certain articles enumerated, repealed, s. 1.
 Also certain 30 per cent *ad valorem* duties on articles enumerated, imposed by 12 V. c. 1, s. 2.
 And certain 20 per cent *ad valorem* duties on articles enumerated, imposed by said act, and such articles to be free of duty except as provided by section 5, s. 3.
 Certain 2½ per cent duties on articles enumerated, repealed, and such articles to be free of duty except as in section 5, s. 4.
 In case of the reciprocity treaty with the United States being suspended, then the articles mentioned in the schedule to 18 V. c. 1, being the growth or produce of the United States, to be subject to the same duties as now, s. 5.

C U S T O M S,

Certain new duties imposed on articles mentioned in schedule, in lieu of those repealed, s. 6. *But see* 19 20, V. c. 10, *virtually repealing the duties in this schedule and imposing others.*

Act to commence on 5th April, 1855, s. 7.

Provision for refinement of sugar in bond, s. 8.

Interpretation clause, s. 9.

18 V. c. 81—1855.

Certain things done under reciprocity treaty confirmed, s. 1. *Sect. 2.* is superseded by 19, 20 V. c. 10.

19, 20 V. c. 10—1856.

Duties on the several articles mentioned in the schedule to this act, repealed, s. 1.

This act to be construed as one act with 10, 11 V. c. 31—and 12 V. c. 1, all provisions of which shall apply to it and to duties imposed by it, s. 2.

Act to take effect from and after 5th July, 1856, s. 3.

Schedule of new duties.

See also Revenue, management of.

C U T T I N G A N D M A I M I N G,

4, 5 V. c. 27—1841.

With intent to disfigure, &c. or prevent lawful arrest or detainer, to be felony, s. 11.—*See also* 18 V. c. 92, ss. 29, 30, 31,—*Title Criminal Law &c.*

D A M

D A M S,

19, 20 V. c. 104—1856.

Proprietors may construct, on water-courses running along or across their property, s. 1.

To be liable for all damages caused thereby, s. 2.

Damages how ascertained, s. 3.

When and how may be demolished if damages not paid, s. 4.

D A I G L E, F., A N D A. D U F R E S N E,

Bridge over North branch of river Yamaska, 16 V. c. 65.

D A M A G E S,

25 G. 3, c. 2—1785—85.

Jury trials allowed in actions for, founded on personal wrongs, s. 9. *And see* 9 G. 4 c. 10, *extending the above to cases of delits or quasi delits to personal property.*

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7 G. 4, c. 8—1827—136.

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9 G. 4, c. 27—1829—138.

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16 V. c. 195—1853.

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Duty and liability of bailiff in such case, ss. 4, to 6.

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13, 14 V. c. 40—1850.

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18 V. c. 100—1855.

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4, 5 V. c. 25—1841.

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4, 5 V. c. 25—1841.

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13, 14 V. c. 40—1850.

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14, 15 V. c. 93—1851.

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16 V. c. 206—1853.

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18 V. c. 101—1855.

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9 G. 4, c. 20—1829—191.

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9 G. 4, c. 77—1829—187.

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4 V. c. 30—1841—195.

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8 V. c. 27—1845.

Married women may release, by deed posterior to that by which property is alienated, ss. 3, 4.

10, 11 V. c. 111—1847.

On lands commuted in crown seigniories, to be governed by laws of Lower Canada, s. 9.

16 V. c. 206—1853.

Power of married women to release may be exercised with reference to hypothecations by the husband, s. 9.

18 V. c. 3—1854.

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7 G. 4, c. 3—1827—66.

Penalty for fast, near churches, s. 7.

3, 4 V. c. 25—1840—370.

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18 V. c. 100—1855.

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18 V. c. 113—1855.

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18 V. c. 108—1855.

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4, 5 V. c. 27—1841.

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DRUGS,

28 G. 3, c. 8—1788—586.

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DRUMMOND COUNTY,

Divided into two Municipalities, 12 V. c. 122.

DRUMMOND,

Place of sitting for Municipality Number Two changed,
14, 15 V. c. 28—16 V. c. 98.

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10, 11 V. c. 6, s. 3.

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1 W. 4, c. 39—1831—37.

Certain tract to be designated as ; rights granted to inhabitants.

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2 W. 4, c. 41—1832—447.

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19, 20 V. c. 54—1856.

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14, 15 V. c. 107—1851.

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18 V. c. 100—1855.

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9 V. c. 27—1846.

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12 V. c. 50—1849.

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OF OFFICERS OF CORPORATIONS GENERALLY.

12 V. c. 41—1849.

Provision in case of corporation, &c., neglecting to make an election; writ of mandamus may issue, s. 11.

No corporation, &c., to be deemed dissolved in consequence of non-election of its officers, or disabled from electing them for the future, s. 14.

Superior court, or two judges thereof in vacation, may issue mandamus requiring election to be proceeded with, or cause to the contrary shewn, *ib.*

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OF OFFICERS OF CORPORATIONS GENERALLY.

Notice of election, how to be given; mode of conducting the same, *ib.*

Officers thus elected to have same powers as if elected within time prescribed by charter, *ib.*

Number of persons necessary to vote at such; who may preside, *ib.*

Retiring officers to hold office until successor appointed in certain cases, *ib.*

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— 12 V. c. 27—1849.

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Another returning officer to be appointed by the Governor, if sheriff or registrar disqualified, or incapacitated, s. 5.

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Duty of returning officer, on receiving writ, s. 9.

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Penalty £25 for neglecting to post up proclamation, *ib.*

Oath of returning officer, before a justice of the peace, s. 10.

Certificate to be granted under a penalty of £10, *ib.*

Penalty £10 for neglecting to take the oath, *ib.*

Returning officer to appoint election clerk, who shall be sworn, s. 11.

Penalty £10 for refusing to act, *ib.*

Duty of election clerk, in case returning officer incapacitated, *ib.*

Proceedings of the returning officer on the day of election, s. 12.

Any elector or candidate may demand a poll, *ib.*

Proceedings when poll demanded, s. 13.

How and where poll to be held, *ib.*

No poll to be held at a tavern, *ib.*

Electors to vote at certain polling places under penalty £10, *ib.*

Certain polling places appointed in cities of Montreal and Quebec, proviso as to present wards in said cities, s. 14.

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- Word "Parish" how to be understood in Lower Canada, electors qualified upon property in extra parochial places where entitled to vote, s. 15.
- Day of opening the poll to be proclaimed at the hustings, a certain delay required, &c., s. 16.
- Poll not to be held on Sunday, or certain holydays, s. 17.
- Polling days to be the same throughout the electoral division, *ib.*
- Deputy returning officers to be appointed for the polls, s. 18.
- Oath of office—penalty £25 for refusing to act, *ib.*
- Poll clerks to be appointed—oath of office, and penalty for refusing to act, &c., *ib.*
- Returning officer to issue his warrant to deputies for holding polls, s. 19.
- Form of poll-book—return thereof, &c., *ib.*
- Mode of recording votes, s. 20.
- Duty of poll clerk, s. 21.
- To perform duty of returning officer in case of absence, &c. of deputy, *ib.*
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- When, and to whom poll-book returned, *ib.*
- Proceedings on day appointed for closing the election, s. 23.
See 16 V. c. 7.
- Proceedings to be adjourned until poll-books all returned, s. 24.
- Indenture to be executed, and copy returned with writ, s. 25.
- Proceedings in case poll-book stolen, lost or destroyed, s. 26.
- Returning officer to have copies of poll-books made and deposited for public inspection, s. 27.
- No scrutiny to be granted, s. 28.
- Who may act as agent for candidates, s. 29.
- Paid agents, not to vote, under penalty of £25, *ib.*
- Qualification of electors for counties or ridings, s. 30.
- For cities or towns, s. 31.
- Proprietors of dwelling houses when not disqualified, s. 32.
- Qualification as tenants in cities and towns, s. 33.
- Not to be disqualified, in certain cases, s. 34.
- Occupiers of dwelling houses provided by the government, corporations, &c. disqualified unless one year's rent paid, s. 35.
- Provision as to lands, &c. in two counties, or within two polling places, s. 36.
- Or, partly within and partly without any city or town, s. 37.
- As to lands in Lower Canada, &c., s. 38.
- Joint tenants and tenants in common may vote separately provided each part be of the proper value, s. 39.
- Shareholders in companies excepted, *ib.*
- But see also as to qualification of voters—Elective Franchise, and 16 V. c. 152, s. 4. (Representation.)*
- Votes objected to, how distinguished in poll-book, s. 40.
- Situation of property voted upon may be required, *ib.*
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To be administered by returning officer (under penalty of £10 for neglect if thereunto required) or in his discretion if not required, *ib.*

Penalty £10 for voting, without oath, when required, *ib.*

The word "refused" to be marked in poll-book, on voter refusing to take the oath—and vote not to be taken—under penalty of £10 upon returning officer, *ib.*

British subjects only, of full age, allowed to vote, s. 42.

Oath of allegiance may be administered by returning officers when needed to qualify as a naturalized subject, s. 43.

Unqualified persons voting, to incur penalty of £10, s. 44.

Penalty £10 for voting more than once, *ib.*

Penalty £25 for voting on property fraudulently conveyed in order to qualify, &c., s. 45.

Such conveyance to be valid, any agreement to the contrary, *ib.*

No female allowed to vote, s. 45.

Appointment of interpreter in certain cases, s. 47.

Candidate, if required to make a declaration in the form given, of his property qualification, s. 48.

Wilful mistatement to be a misdemeanor, *ib.*

Declaration may be made voluntarily before hand, s. 49.

Before whom, *ib.*

Returning officer to certify the delivery to him of such declaration under penalty of £50, *ib.*

Returning officer, and deputies to be conservators of the peace, s. 50.

May require the aid of justices, constables, &c. and swear in special constables, *ib.*

May arrest disturbers, *ib.*

Special constables to be sworn, if required, s. 51.

Returning officer or deputies may demand the surrender of arms or offensive weapons, s. 52.

Battery, during the election, to be deemed an aggravated assault, s. 53.

Provision against bribery and corruption by candidates, s. 54.

Their election in such case to be void, *ib.*

Penalty not exceeding £50 on parties giving or receiving any corrupt consideration, s. 55.

Corrupt votes to be struck off the poll-book, when &c., s. 56.

Candidates prohibited from entertaining electors previous to or during election, s. 57.

None but the returning officer, his deputies, constables, &c. to come armed while the poll is open, s. 58.

Party ensigns, flags, &c. prohibited during election, or within eight days before, s. 59.

Also party badges, &c. during the same period, s. 60.

Offenders to be guilty of misdemeanor, and how punishable, s. 61.

Stealing or destroying, &c. the writ, return, indenture, &c. to be felony, s. 62.

Oaths to be administered *gratis*, s. 63.

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Cities and towns returning members, &c. not to form, for election purposes, part of counties, &c., s. 65. *See also* Representation.

No proprietor to vote in a county or riding on property situated in any such city or town, *ib.*

Fees for services, and disbursements allowed, s. 66.

Copy of this Act to be transmitted with writ of election to returning officer, and one for each of his deputies, s. 67.

Schedules—Forms of Proclamations,—Oaths of Office,—Commissions,—Warrants to Deputy Returning officers,—Poll-books—Indentures—Oaths of qualification by Electors.—

14, 15 V. c. 108—1851.

If no *ex officio* returning officer, then the Governor to appoint, s. 3. *The other sections relate only to Upper Canada.*

16 V. c. 7—1852.

To remove doubts respecting the words "a majority of the total number of votes" in the 23 section of the 12 V. c. 27. *See as to Clergymen, Acts 8 V. c. 9, indemnifying them for voting—and 8 V. c. 10, enabling them to vote.*

ELECTIONS CONTROVERTED. *See* Controverted Elections.

ELECTIVE FRANCHISE,

18 V. c. 87—1855.

Acts 16 V. c. 153, and 18 V. c. 7, repealed, s. 1.

Certain persons qualified to vote, in addition to those mentioned in the elections Act of 1849, viz : s. 2.

Bonâ fide owners or freeholders, tenants or occupiers of real estate within any city or town entitled to representation (and in Upper Canada within any city or liberties) as bounded for municipal purposes, of the actual value of £75 or yearly value of £7 10s., for six months before the election, *ib.*

Or within the limits of such city or town for representation but not for municipal purposes, of the actual value of £50, or yearly value of £5, *ib.*

Bonâ fide owners or freeholders, tenants or occupiers (for six months before the election) of real property of the actual value of £50 or yearly value of £5, in any parish, township, town, village or place not being within such city or town, *ib.*

Tenants for less than one year not entitled to vote, *ib.*

Votes to be tendered in the ward or place where the property lies, *ib.*

Occupants holding without consent of crown, or owner, disqualified, *ib.*

In case of joint owners or tenants, each may vote if his share be sufficient, s. 3.

Members of bodies corporate not entitled to vote on corporation property, *ib.*

Proviso, continuing privileges to voters in Lower Canada under Elections Act of 1849, in respect of property lying elsewhere than in Quebec and Montreal, s. 4.

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Persons disqualified from voting under either Act in case of non-payment, of rents or instalments due to the crown, on the property forming the qualification, s. 5.

Oath to be taken, if required, *ib.*

Duty of returning officers with respect to administering the oaths in schedule, s. 6.

Provisions of Elections Act of 1849 not inconsistent with this Act, to apply to persons qualified to vote by this Act, s. 7.

Form of poll-book may be varied to agree with this Act, *ib.*

Voters upon property without municipal, but within representation limits of cities and towns, to vote in wards assigned by returning officer, s. 8.

Construction of the word "municipality" in relation to Lower Canada, s. 9.

Short title of this Act, and of 12 V. c. 27, s. 10.

Schedules of forms of Oaths of qualification of persons claiming to be Electors.

See also Elections—and Legislative Council.

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12 V. c. 41—1849.

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18 V. c. 100—1855.

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Penalty for voting without qualification, s. 71.

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Township formed out of part of Hinchinbrooke, 12 V. c. 135.

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39 G. 3, c. 7—1799—306.

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EMANCIPATION, OF MINORS, See Minors.**EMBEZZLEMENT,**

4, 5 V. c. 25—1841.

By any clerk or servant, to be deemed felony, s. 39.

Of money, &c. by any banker, merchant, broker, attorney or agent, how punishable, s. 41.

Or by factor or agent, intrusted with merchandize, s. 43.

18 V. c. 92—1855.

Under indictment for, offender may be convicted of larceny, and *vice versa*, s. 16.

How punishable, *ib.*

EMBEZZLEMENT,

See also Criminal Law and Procedure.—And as to Embezzlement by officers of particular Institutions, Corporations, &c., See such Institutions and Corporations, by their corporate names.

EMIGRANTS AND QUARANTINE,

6 G. 4, c. 8—1826—38.

Collector of customs at Quebec, to make yearly returns of to the Legislature, s. 3.

16 V. c. 86—1853.

Former Acts repealed, s. 1.

Certain duties payable by the master of any vessel arriving at Quebec or Montreal, on emigrant passengers, s. 2.

Masters embarking passengers not included in passenger list, to pay in addition 40s. per head, s. 3.

Passengers not to leave the vessel till duty paid, s. 4.

Penalty on masters having on board an unlawful number, s. 5.

Master within 24 hours after arrival to deliver passenger list to the collector under the penalty of £5 per diem, s. 6.

Master to report the number of lunatic, idiotic, deaf and dumb and infirm passengers, under penalty of £5 for every case omitted, s. 7.

To report the number of deaths during the voyage; the property left by deceased, and account for the same to the collector under a penalty of not less than £5 nor more than £250, s. 8.

Passengers allowed to leave the vessel in certain cases, s. 9.

Any error in the report, to subject the master to penalty of £5 for every passenger missing, *ib.*

Any pilot neglecting to inform the collector of passengers leaving the vessel, to incur a penalty not exceeding £5, s. 10.

Passengers allowed to remain on board 48 hours after arrival, s. 11.

Penalty on master compelling passengers to leave before that time, *ib.*

Duty of the medical superintendent on arrival of the vessel at the quarantine station, s. 12.

To report any lunatic, &c. on board to the collector, *ib.*

Master to give bond of indemnity with sureties for such passengers, or commute in money, *ib.*

Bond to be enforced if they become chargeable, s. 13.

Penalty on master refusing to give bond or commute, s. 14.

Bond to be transmitted to receiver general, and for what purpose, s. 15.

Passengers to be landed on wharves free of expense, s. 16.

Steam-vessels receiving emigrants in the stream at Quebec not to proceed upwards without returning to the wharf under a penalty of £10 upon the master, s. 17.

Former quarantine Acts repealed, s. 18.

Governor in council authorized to make quarantine regulations, s. 19.

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- Quarantine regulations to be published, s. 21.
 Expenses under this Act, how defrayed, s. 22.
 Duties and penalties to be a lien on the vessel, s. 23.
 Moneys collected to be paid over to receiver-general, s. 24.
 Application thereof, s. 25.
 Penalties how recoverable, s. 26.
 Where the penalty exceeds £10, offence to be a misdemeanor, *ib.*
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18 V. c. 100—1855.

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ENGINEERS,

14, 15 V. c. 89—1851.

- And persons employed on railway trains exempt from serving on juries, s. 2.

18 V. c. 100—1855.

- How may be employed by county superintendent, s. 63, par. 3.
 Income of, to be assessed for municipal purposes, under this Act, s. 70, par. 2.

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12 V. c. 38—1849.

- In superior court party foreclosed from pleading, to be notified of, inscription for, s. 25.
 In superior court, before whom, where and how to be taken, s. 27. *But see* below 16 V. c. 194, s. 5 and *seq.*
 In superior court to be taken before circuit judges in certain cases, s. 28.
 In superior court, on what days to be taken, s. 29. *But see* below 16 V. c. 194, s. 5 and *see.*
 In superior court, court may order in any district and how, s. 30.
 In circuit court, when and how to be held, s. 60. *But see* below 16 V. c. 194, s. 9—18 V. c. 104, s. 4, and 19, 20 V. c. 55, s. 10.
 Evidence in non-appealable cases to be taken orally, also in appealable cases by consent, *ib.* *But see* 18 V. c. 101.
 Judge of superior court when to preside at, *ib.*
 Judge not disqualified thereby from sitting in appeal, *ib.*
 In circuit court may be ordered to be taken in another circuit; sections 30 and 31 to apply, s. 61.

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12 V. c. 41—1849.

How and when to be taken in actions against parties usurping public offices, &c., ss. 3 and 4.

16 V. c. 194—1853.

Judges of superior court to fix *enquête* days, not to be less than a certain number, s. 5.Days not to be in term at Montreal and Quebec, except in default and *ex parte* cases, s. 6.

Every juridical day, to be in such cases, except during vacation, 7.

Party foreclosed not to adduce evidence, but may cross examine and object to evidence, s. 8.

How, when taken before prothonotary, *ib.*

Days, in appealable cases, circuit court, to be fixed on days out of term, and how, s. 9.

Duty of clerk as to objections, *ib.*What notice of, necessary, *ib.*

18 V. c. 104—1855.

In appealable cases in circuit court, evidence how taken in circuit where no resident judge, s. 4. *But see below* 19, 20 V. c. 55, s. 10.

Clerk to make fair copy of notes to be filed of record, s. 5.

To be in writing unless by consent—in latter case judge to take minutes of evidence, s. 17.

19, 20 V. c. 55—1856.

Circuit judge on application of plaintiff, in circuit where no resident judge, may order *enquête* to be taken as formerly, *non obst.* 18 V. c. 104, s. 4—s. 10. *And see Evidence—Witnesses.***ENTAIL,** *See* Substitutions.**ERIE AND ONTARIO INSURANCE COMPANY,**

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34 G. 4, c. 6—1894—101.

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12 V. c. 37—1849.

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12 V. c. 41—1849.

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6 W. 4, c. 15—1836—152.

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41 G. 3, c. 15—1801—143.

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4 V. c. 30—1841—195.

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12 V. c. 22—1849.

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13, 14 V. c. 39—1850.

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14, 15 V. c. 16—1851.

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14, 15 V. c. 62—1851.

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14, 15 V. c. 95—1851.

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14, 15 V. c. 96—1851.

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18 V. c. 165—1855.

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19, 20 V. c. 88—1856.

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4, 5 V. c. 25—1841.

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12 V. c. 38—1849.

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16 V. c. 205—1853.

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4, 5 V. c. 24—1841.

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27 G. 3, c. 4—1787—95.

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14, 15 V. c. 89—1851.

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34 G. 4, c. 6—1794—101.

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41 G. 3, c. 7—1801.

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6 W. 4, c. 26—1836—57.

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2 V. (3) c. 28—1839—146.

Certain articles exempted from seizure under writs of. *And see* 25 G. 3. c. 2, s. 36.

2 V. (3) c. 48—1839—147.

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7 V. c. 19—1843.

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12 V. c 38—1849.

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To issue from circuit court upon bills certified by clerk; need not be endorsed by judge, s. 67.

In circuit court, against goods; form of writs, how and when to issue, to whom addressed, and how executed, s. 70.

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16 V. c. 138—1853.

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16 V. c. 194—1853.

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Fol adjudicataire to pay all damages accruing to plaintiff, s. 29.

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16 V. c. 195—1853.

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18 V. c. 3—1854.

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2 V. (3), c. 9—1839—84.

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4; 5 V. c. 24—1841.

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16 V. c. 198—1853.

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18 V. c. 100—1855.

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41 G. 3, c. 7—1801—112.

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12 V. c. 38—1849.

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14, 15 V. c. 95—1851.

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16 V. c. 194—1853.

Evidence may be taken in *ex-parte* cases on any juridical day, except during vacation, s. 7.

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48 G. 3, c. 22—1808—116.

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13, 14 V. c. 38—1850.

Courts in Lower Canada may authorize, them to take necessary oath before commissioners for receiving affidavits, or other person, in any case, s. 1.

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10, 11 V. c. 4—1847.

Destruction of any dwelling house by, to be felony, s. 1.

And so of any building, with intent to destroy life, s. 2.

Doing any bodily harm by means of, to be felony, s. 3.

Causing explosion, throwing corrosive fluids, &c. with like intent, to be felony, s. 4.

Punishment for, s. 5.

Throwing explosive substance into, or near to any building, &c. to be felony, s. 6.

Punishment therefor, *ib.*

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Attempting to set fire to any building, vessel, &c. the offence not being completed, to be felony, s. 7.

Punishment therefor, *ib.*

Having in possession any such substances, with unlawful intent, to be a misdemeanor, s. 8.

Punishment therefor, *ib.*

Male offenders under 18 years of age, in addition to any other sentence, to be publicly or privately whipped, s. 9.

Punishment of principals in the second degree, and of accessories, s. 10.

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Search warrants may be issued to search for gunpowder or explosive substance suspected to be kept for illegal purposes, s. 12.

How to be dealt with if found, *ib.*

Explosive substance, with machine or instrument intended to be used, &c. to be forfeited, s. 13.

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13, 14 V. c. 39—1850.

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19, 20 V. c. 15—1856.

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12 V. c. 19—1849.

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Any person arrested and not delivered up within two months, entitled to discharge, unless cause shewn, s. 4.

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F A B

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4 G. 4 c. 31—1824—514.

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Property so held by *Fabriques* to be sold within ten years *a constitution de rente* for the benefit of Schools to be established under this Act, s. 2.

May however retain one acre for site of School, *ib.*

Property so held not to exceed the value of One Hundred Pounds Currency, and Annual income not to exceed Fifty Pounds, currency, for each School, s. 3. *But see below*, 7 G. 4, c. 20.

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Such Schools and property to be administered by same persons as other property of *Fabrique*, s. 5.

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7 G. 4, c. 20—1827—516.

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9 V. c. 27—1846.

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12 V. c. 38—1849.

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4, 5 V. c. 26—1841.

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4, 5 V. c. 25—1841.

Obtaining any chattel, money, or security under, to be a misdemeanor, and how punishable, s. 45. *See also* 18 V. c. 92, ss. 12, 14.

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12 V. c. 12—1849.

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18 V. c. 100—1855.

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4, 5 V. c. 24—1841.

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24 G. 3, c. 1—1784—118.

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36 G. 3, c. 12—1796—174.

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5 W. 4, c. 1—1835—177.

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4, 5 V. c. 24—1841.

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4, 5 V. c. 25—1841.

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10, 11 V. c. 13—1847.

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14, 15 V. c. 96—1851.

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2 V. c. 2—1838—163.

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4, 5 V. c. 25—1841.

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13, 14 V. c. 40—1850.

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18 V. c. 100—1855.

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17 G. 3, c. 12—1777—556.

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27 G. 3, c. 6—1787—180.

Ferryman exempt from serving as constables at Quebec and Montreal, s. 2.

2 V. (3) c. 13—1839—557.

Ferryman to be licensed and not to exceed limits of license—Penalty how recovered and enforced. *But see*.

16 V. c. 212—1853.

17 G. 3, c. 12 and 2 V. (3) c. 13, repealed except as to ferry licenses granted under them, which are to remain in force, and except as to any penalty incurred under them, s. 1.

Ferryman on any water in Lower Canada, not wholly within one municipality to be licensed by governor—Penalty for exceeding terms of licence, s. 2.

Governor in council may make regulations as to :

1. Extent of such ferries ;
2. Conditions on which license to be granted ;
3. Description of boats ;
- 4 and 5. Tolls and enforcement thereof ;
6. Conduct of ferrymen—hours, &c.
7. Forfeiture of license ;
8. Penalties, s. 3.

No license for more than one year, unless by public competition with security—after notice—none to be granted for more than 10 years, s. 4.

Regulations how to be published and proved, s. 5.

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Act not to extend to certain cases, s. 8.

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18 V. c. 100—1855.

To be regulated by municipal councils, s. 15, par. 5.

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How regulated and licensed by, s. 42.

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s. 45, par. 4.

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19, 20 V. c. 53—1856.

Stipulated in deeds of conveyance to be null and void, s. 18.
And see Seigniorial Tenure.

FIERI FACIAS, See Execution—Writs.**FINANCE (PUBLIC DEBT AND ACCOUNTS,)****CANADA. (DEBT.)**

Loan for £1,659,682 sterling for public works authorized,
4, 5 V. c. 28, 1841.

Negotiation in England (with the guarantee of the Imperial
Government) of the loan under the last Act, facilitated,
4, 5 V. c. 33, 1841.

Further provision as to the said loan, and sinking fund, 6 V.
c. 8, 1842.

Loan of £117,800 on credit of consolidated revenue, for be-
nefit of stockholders of Welland Canal, authorized, 7 V.
c. 34, 1843.

Further loan of £2,779 18s. 9d. on credit of consolidated
revenue, to meet claims of English stockholders in the
said Canal, authorized, 8 V. c. 74, 1845.

Issue of debentures for remainder of the loan raised in En-
gland under guarantee of Imperial Government, (*see* 4, 5
V. c. 33), authorized, 9 V. c. 64, 1846.

Loan not exceeding, with the sum mentioned in the last
Act, £520,833 11s. 1d. authorized, 9 V. c. 66, 1846.

Issue of debentures under the 9 V. c. 64 facilitated, and
sinking fund under 6 V. c. 8, more effectually provided
for, 10, 11 V. c. 2, 1847.

Loan of £125,000 currency for public works authorized,
11 V. c. 9, 1848.

Loan for £187,573 14s. 3d. for public works on credit of
consolidated revenue fund, and £30,000 on credit of the
Upper Canada building fund, authorized, 13, 14 V. c. 2,
1850.

Loan for £196,580 15s. 2d. for public works, authorized,
14, 15 V. c. 72, 1851.

Loan not exceeding £4,000,000 for constructing a main
trunk line of railway, authorized, 14, 15 V. c. 75, 1851.
*But it does not seem that this loan can now be required,
another arrangement for making the main trunk line having
been adopted.*

Loan for £150,000 for public works, authorized, 16 V. c. 157,
1852.

Loan for meeting expenditure under Seigniorial Tenure
Commutation Act, authorized, 18 V. c. 3, s. 17—18 V. c.
103, s. 3.

FINANCE, (PUBLIC DEBT AND ACCOUNTS),

CANADA. (DEBT.)

Loan for £350,000 for public works authorized, 18 V. c. 4, 1854.

Loan of £900,000 sterling to grand trunk railway company, authorized, 18 V. c. 174, 1855.

Loan of £250,000 for public works, authorized, 19, 20 V. c. 86.

See also Railways (as to the Provincial guarantee, instead of which debentures may in the discretion of the Governor in council, be exchanged for bonds of the Company, under 14, 15 V. c. 73, s. 22.)—Seigniorial Tenure—and the several matters for which Loans are authorized.

ACCOUNTS.

Act for the better management of the public debt, accounts, revenue and property, 12 V. c. 5, 1849.

Act for the better auditing of public accounts, 18 V. c. 78, 1855.

FINANCE AND MONETARY AFFAIRS OF THE PROVINCE,

See Supplement.

FINES—PECUNIARY PENALTIES,

27 G. 3, c. 1—1787—94.

Of £100 or more, appeal allowed to privy council from, s. 2.

52 G. 3, c. 7—1812—183.

Actions for, how limited, ss. 1, 2. *But see* 14, 15 V. c. 95, s. 10.

4 G. 4, c. 19—1824—183.

Justices to pay over, by them levied, to clerks of the peace, s. 4.

12 V. c. 10—1849.

How recoverable, when the Act imposing them makes no other provision, s. 5.

14, 15 V. c. 95—1851.

Time for laying information or complaint limited to 6 months unless otherwise limited, s. 10.

To whom and how to be paid by justices; accounts of, how kept, s. 27.

See also the different subjects to which the fines and penalties relate.

FIRE INSURANCE COMPANIES,

See Insurance Companies—Mutual Insurance—and the several Companies by their corporate names.

FIRES,

18 V. c. 100—1855.

For clearing land how to be regulated, s. 19, par. 5.

Regulations for preventing in towns and villages, s. 24, pars. 12 to 20.

See also Arson—Explosive Substance—Malicious Injury to Property—Railways.

FIRE, ACCIDENTS BY,

Prevention of in Quebec, Montreal and Three Rivers, 17 G. 3, c. 13—30 G. 3, c. 7—59 G. 3, c. 38! *But see the Acts incorporating the two cities, and the general Municipal Act, 18 V. c. 100, giving powers which would seem to supersede those in the said Acts and Ordinance.*

FIREMEN,

4, 5 V. c. 43—1841.

An Act of Upper Canada repealed, s. 1.

Corporations authorized to grant certificates of exemption to, from serving in militia or on juries, &c., s. 2. *But see below.*

Privilege forfeited for neglect of duty, s. 3.

May be formed into companies, in the discretion of corporation, *ib.*

12 V. c. 36—1849.

Exemption after seven years' service, except on juries? *But see below.*

14, 15 V. c. 85—1851.

Corporation of a City authorized to make by-laws for exemption of, after seven years' service, from statute labour, and serving on juries.

FIREWORKS,

18 V. c. 100—1855.

Regulations for preventing discharge of, in Towns and Villages, how made, s. 24; par. 16.

FISH,

9 G. 4, c. 51—563.

For the preservation of salmon, in counties of Cornwallis and Northumberland.

Penalty for killing or buying salmon, within certain limits after 1st August of any year, s. 1.

Proviso as to Indians, *ib.*

Rivers in said counties to be left open for salmon to pass to their spawning places. Penalty, s. 2.

Justice or militia officers to remove obstructions on view or complaint, s. 3.

Penalties, how and when to be recovered, s. 4.

Conviction how to be drawn up, s. 5.

Fees—what allowed to justices and to constables, ss. 6, 7.

Penalties how levied and applied, ss. 8, 9.

Rights of the crown and others saved, s. 10.

Form of conviction—Appendix A.

4, 5 V. c. 26—1841.

Maliciously destroying the dam of any fish-pond or private fishery, misdemeanor, s. 15.

7 V. c. 13—1843.

Prohibition against taking certain fish by spears or seines in any of the lakes or rivers in the counties of Stanstead, Sherbrooke, Shefford, Missisquoi and Drummond, Essex and Kent between the 1st August and the 1st December. Regulating fish-ponds on the St. Francis and taking of trout, s. 2.

FISH,

Penalty on offenders not exceeding £2, recoverable before one or more justices, s. 3.

18 V. c. 100—1855.

County municipal councils, to regulate on sea shore, &c., of counties, s. 19, par. 7.

18 V. c. 114—1855.

Killing of salmon, maskinongé and trout prohibited between 1st October and 1st February, s. 1.

Certain kinds of nets and methods of fishing forbidden; salmon fishing permitted under certain restrictions in June, July and August, s. 2.

Penalty, s. 3. *And see Gaspé.*

FISH AND OIL, INSPECTION OF,

2 V. (3) c. 65—1839—301.

Inspectors to be appointed by Governor, s. 1.

Inspectors to give security and take oath of office, s. 2. *But see 4 & 5 V. c. 91.*

Oath to remain of record in Prothonotary's office—Certificate—Fees, *ib.*

Inspectors to provide branding irons, s. 3.

Inspectors, duty of as regards pickled or salted fish, s. 4.

Fish for exportation when to be branded, s. 5. *But see as to Gaspé 4 & 5 V. c. 36, s. 12, & 13 & 14 V. c. 43.*

Small fish packed in dry salt, when may be branded, s. 6.

Red and Smoked Herrings, when may be branded, s. 7.

Fish how to be branded, s. 8.

Oil how to be branded, s. 9.

Proceedings in case of dispute as to quality—Proviso s. 10.

Penalty on Inspector for false branding or allowing Fish or Oil to be withdrawn before being branded, s. 11.

Penalty on person effacing brand marks, s. 12.

Inspector not to trade in Fish or Oil—Penalty, s. 13.

Codfish how and when to be branded, s. 14.

Codfish, dimensions of casks in which to be packed—Proviso, s. 15.

Codfish dried may be inspected in boxes or bulk, s. 16.

Penalty on Inspector neglecting to inspect fish or oil, s. 18.

Inspectors' fees, s. 19.

Cooper may be employed by owner of fish or oil but under direction of Inspector, s. 20.

Penalties how recovered and applied, ss. 21, 22.

Prosecution for fines to be commenced within 3 months, s. 23.

Defendant in actions under this ordinance, may plead general issue and recover treble costs if judgment in their favor, s. 24.

13, 14 V. c. 43—1850.

One inspector only in Quebec and Montreal, but may appoint any number of deputies, s. 1.

Section 5 of above ordinance, extended to pickled or salted fish of any kind—certain brands to be used—green codfish how may be packed, s. 2.

FISH AND OIL, INSPECTION OF,

- Inspector may provide himself with wharf or store, s. 3.
 He shall attend and inspect when required, if quantity
 not less than 10 casks or vessels, s. 4.
 Fees of inspector, s. 5.
 Ordinance 2 V. c. 65—made permanent, s. 6.

FIXTURES,

4, 5 V. c. 25—1841.

Stealing fixtures, how punishable, &c., ss. 36, 37.

FLOUR AND MEAL, INSPECTION OF,

19, 20 V. c. 87—1856.

- Acts 4, 5 V. c. 89, 11 V. c. 6, 13, 14 V. c. 29; repealed. Acts
 repealed by them not to revive, s. 1.
 Existing contracts for sale of flour, based on former standard
 of inspection, not to be affected, s. 2.
 By what standard the quality of flour so contracted for shall
 be ascertained, *ib.*
 Boards of examiners of applicants for office of inspector, how
 appointed and composed; their oath of office, s. 3.
 Inspectors, how appointed; after examination, security to
 be given; sworn assistants only may act for them, s. 4.
 Bond given by inspectors, where to be deposited, s. 5.
 Board of examiners may call on competent persons to assist
 them; s. 6.
 Inspectors to take an oath of office; form of said oath; oath
 to be recorded, s. 7.
 Present inspectors continued in office, subject to this Act,
 s. 8.
 Assistants, when to be appointed; to give security and take
 an oath of office, s. 9.
 Assistants, how paid and appointed or removed from office,
 s. 10.
 Complaints against inspectors, how heard and decided, s. 11.
 Mode of inspection, on whose requisition to be made, and
 where, s. 12.
 Inspectors, when required to return flour taken out for the
 purpose of inspection; penalty for not doing so, s. 13.
 Inspectors to provide proper branding irons; sour flour, how
 to be branded, s. 14.
 Unmerchanted flour, how to be branded, *ib.*
 Duty of inspectors in case flour be inferior to manufacturer's
 brand, *ib.*
 Date of inspection to be marked; fees for inspection, *ib.*
 Bill of inspection to be furnished and what to specify;
 penalty for incorrect certificate, *ib.*
 Proviso, as to re inspection, *ib.*
 Proviso: what marks to be put on by manufacturer, *ib.*
 Proviso, as to costs of inspection; in case of sale subject to,
ib.
 What to be implied by agreement to submit to inspec-
 tion, *ib.*
 Duty of inspectors with respect to weight, s. 15.
 Penalty in case of neglect to weigh, *ib.*
 Branding, how to be performed; penalty, s. 16.

FLOUR AND MEAL, INSPECTION OF,

- Proceedings in case of disagreement between inspector and owner, s. 17.
- Proceedings in case of refusal or neglect by inspector to inspect upon application, s. 18.
- Adulterated flour, how to be dealt with, s. 19.
- Penalty on manufacturer undermarking tare, s. 20.
- Penalty for knowingly offering for sale any barrel of flour having the tare undermarked or deficient in weight, s. 21.
- Inspector prohibited from trading in flour or meal, s. 22.
- Different qualities of flour or meal, how to be designated, s. 23.
- Samples of the different qualities to be provided by inspectors, to serve as standards, s. 24.
- Legal weight of half barrels and barrels of the various descriptions of flour and meal, s. 25.
- Sizes and construction of barrels prescribed, s. 26.
- Weekly returns to be made by inspectors; what to contain, and to whom to be made, s. 27.
- Fraudulent obliteration, or alteration or counterfeiting of inspector's mark, how punished, s. 28.
- Penalty for using for packing flour, any old barrel without destroying old brand marks, *ib.*
- Penalty on servants of manufacturer hiring out the marks of his employer, *ib.*
- Penalty on inspector inspecting beyond his limits, or hiring out his brands, *ib.*
- Penalties, how recovered and applied, s. 29.
- Limitation of actions under this Act, s. 30.
- Nothing in this Act to render inspection compulsory, s. 31.
- Word "meal," how construed, s. 32.
- Commencement of Act, 1st August, 1856, s. 33.

FOLLE ENCHERE,

41 G. 3, c. 7—1801—112.

Sale in consequence of, when and how obtained—proceedings thereon, s. 14.

Fol adjudicataire liable for all costs and damages, *ib.*

16 V. c. 194—1853.

Sale at the, may be had if purchaser neglects to pay, s. 23.

At second sale, bidders to deposit sum equal to costs then due, *ib.*

Failing deposit, sheriff to disregard bid, s. 24.

If third sale, bidder to deposit one third of debt, s. 25.

Plaintiff or attorney may dispense with deposit, s. 26.

Court may order bidders to deposit costs due in certain case, s. 27.

After sale sheriff to return deposits, except to purchaser, s. 28.

Fol adjudicataire to pay all damages accruing to judgment creditor, s. 29.

Contrainte par corps for what may be issued, *ib.*

Fol adjudicataire not entitled to overplus, if any overplus how disposed of, *ib.*

FOLLE ENCHÈRE,

Contrainte par corps how ordered and for what time, s. 30.
18 V. c. 110.

Purchasers at sales by forced licitations neglecting to pay to be subject to same penalties as those at sheriff's sales, s. 27.

FOOT,

39 G. 3, c. 7—1799—306.

That of Paris, to be the standard measure, unless otherwise stipulated, and except as regards the measurement of lands granted by Her Majesty after this Act, s. 6.

FORDS,

18 V. c. 100—1855.

Local municipality may open, cleanse or stop up any, within its limits, s. 23, par. 1.

To be kept smooth at bottom and marked out with poles by municipality, s. 43.

By whom to be maintained, s. 45, par. 2.

FORECLOSURE,

12 V. c. 38—1849.

How obtained; party foreclosed to be notified of inscriptions for *enquête* and hearing, s. 25.

16 V. c. 194—1853.

Party foreclosed may cross-examine witnesses and object to illegal evidence, s. 8.

Objections to be taken down in writing if examination before prothonotary, *ib.*

Default against *tiers saisi* how and when obtained, ss. 18, 19.

18 V. c. 108—1855.

May be obtained by defendant in action under Lessor and Lessee's Act without demanding answer to plea, s. 13.

FOREIGN JUDGMENTS, &c.,

13, 14 V. c. 19—1850.

Proveable, by exemplification, under seal of the court, s. 1.
See also Evidence.

FOREIGNERS. See Aliens.**FOREMAN OF GRAND JURY,**

44 G. 3, c. 7—1804—178.

Empowered to administer oaths to witnesses, s. 1.

FORESTALLING, REGRATING,

17 G. 3, c. 4—1777—64.

Ordinance for preventing in Quebec and Montreal—*But it is repealed as to Quebec by 16 V. c. 231 and can only apply to Montreal; if not superseded by the Acts incorporating that City or By-laws made under them.*

FORFEITURES, See Limitation of Actions.

FORGERY,

10, 11 V. c. 9—1847.

- Act to consolidate and amend the law relating to.
 Forging the great seal of Canada, or of Upper or Lower Canada, to be felony, s. 1.
 Forging the seal at arms of the Governor, or any commission, or any public register, &c., felony, s. 2.
 Forging debentures, assignments of debentures, &c., bank notes, wills, marriage licenses, promissory notes, bills of exchange, or indorsement, with intent to defraud, felony, s. 3.
 Certain forgeries punishable with death by any other law to be punishable under this Act, s. 4.
 Forging letters patent, or enrolment, or registration of, felony, s. 5.
 Forging transfers of stock, or power of attorney for transfer of, or personating the owner of, felony, s. 6.
 Personating owners of stock, land scrip, &c., felony, s. 7.
 Forging the signature of witnesses to any power of attorney for transfer of stock, &c., felony, s. 8.
 Forging deeds, bonds, memorials, receipts, notarial instruments, or any judicial proceeding, felony, s. 9.
 Personating parties and giving recognizances, cognovit, &c., felony, s. 10.
 Unlawful possession of forged bank notes, felony, s. 11.
 Engraving bank notes, &c., without permission, and unlawful possession of plates, &c., offering or altering, felony, s. 12.
 Forging, altering, &c., foreign bills, notes, undertakings, &c., or engraving, or having plates, &c., in possession, felony, s. 13.
 Offences punishable under English Act, 5th Eliz. c. 14 punishable under this Act, s. 14.
 Forging, altering, &c., any writing, &c., whether made within or without the province, or in whatever language, &c., punishable under this Act, if fraudulently used in the province, as also aiding or abetting such offence, s. 15.
 Forging, altering, &c., any bill of exchange, &c., payable out of this province, punishable under this Act, *ib.*
 Other forgeries, how punishable, s. 16.
 Offenders may be tried in the district, &c., where apprehended or in custody, s. 17.
 Accessories and principals in the second degree, or after the fact, how punishable, s. 18.
Fac simile not required in indictments and what description sufficient, s. 19. *See also* 18 V. c. 92, ss. 7, 8.
 What shall be deemed having in possession, s. 20.
 What allegation as to party defrauded shall be sufficient, *ib.* *See also* 18 V. c. 92, s. 9.
 Persons interested, competent witnesses, s. 21.
 Repeal of other Acts and parts of Acts relating to forgery, s. 22.
 Proviso as to punishment of offenders convicted after this Act, of offences punishable by Acts repealed, s. 23.

FORGERY,

13, 14 V. c. 17—1850.

Forging, &c., any postage stamp, felony, s. 16.

13, 14 V. c. 19—1850.

Forging seal or signature to any official certificate, felony, s. 6.

16 V. c. 19—1852.

Forging, &c., any seal, stamp, or signature to certain documents or tendering such forgery in evidence, to be felony, s. 11.

18 V. c. 92—1855.

Forging tickets of railways, steamboats, &c., or obtaining passages by false tickets, ss. 37, 38.

As to forging coin, *see* Coin, Spurious Copper, &c.; and as to forging special documents, marks, brands, &c., *see the special subjects to which they relate.*

FORM, WANT OF,

12 V. c. 38—1849.

No form of action or of words necessary in civil cases, s. 87.

14 & 15 V. c. 95—1851.

In summonses or Information in Summary matters before justice not to be objected to, s. 1.

Nor in warrant, s. 3.

14, 15 V. c. 96—1851.

Or variance with evidence in informations for indictable offences, not to be objected to, s. 4.

Same as to summons or warrant, s. 5.

18 V. c. 97—1855.

Information and summons, or variance with evidence, not sufficient to base appeal on, unless party misled thereby, although justice refused to adjourn, s. 1.

18 V. c. 100—1855.

No objection of mere form to prevail in municipal suits, s. 80.

FORMA PAUPERIS,

12 V. c. 43—1849.

Parties may sue or defend *in formâ pauperis* in certain cases, to be allowed by judge, s. 1.

Courts empowered to dispauper persons to whom privilege has been allowed, s. 2.

FORMS,

See the several Subjects to which the Forms relate, and more especially the Acts referred to under the Titles—Aliens—Bills—Commissioners' Courts—Controverted Elections—Criminal Law (18 V. c. 92, &c.)—Customs—Debtors—Elections—Hypothecary Actions—Justices of the Peace—Licitations—Municipal Corporations—Registration.

FORWARDER, *See* Warehousemen.

FOUNDLINGS,

2 W. 4, c. 34—1832—568.

Commissioners having charge of certain charitable institutions, to be legal guardians of.

FRANC ALEU ROTURIER,

3, 4 V. c. 30—1840—632.

Lands commuted by seminary of St. Sulpice, to be held in, s. 8.

8 V. c. 42—1845.

Seigniorial lands commuted under this act, to be held in, s. 1.

18 V. c. 3—1854.

Lands after extinguishment of seigniorial charges to be held in, s. 14. *But see below* 19, 20 V. c. 53, s. 17.

Certain lands declared to have been holden in, ss. 33, 34.

19, 20 V. c. 53—1856.

Tenure of certain unsettled seigniories changed to—section when and how may be applied to other unconceded seigniories, s. 10.

Unconceded lands in crown seigniories, to be held in, when granted, s. 11, par. 3.

From passing of this act, all unconceded lands to be held in, s. 17.

Henceforth no lands held in, to be charged with unredeemable rents or feudal burthens, s. 18.

FRANCHISE, *See* Elective Franchise.

FRASER, W. & E.,

May sell certain lots in Seigniority of River du Loup, 18 V. c. 250.

FRAUDS, STATUTE OF,

10, 11 V. c. 11—1847.

Section 17 of English Act 29 Car. 2, c. 3, extended to all contracts for the sale of goods of the value of £10 stg.

FRAUDULENT DEBTORS,

See Debtors—Attachment—Capias—Affidavit.

FRAUDULENT SALES OR HYPOTHECATIONS,

4 V. c. 30—1841—195.

Of lands, how punished, s. 1. *And see* Fraudulent Seizures.

FRAUDULENT SALE,

Of merchandize, after receiving advances on it. *See* Consignée.

FRAUDULENT SEIZURES,

6 W. 4, c. 26—1836—51.

And sale of lands in townships, how punished, s. 1.

Act not to debar party from having action in damages, s. 2.

FRECHETTE, F.,

Bridge over river du Sud, 53 G. 3, c. 10.

FREE AND COMMON SOCCAGE,

9 G. 4, c. 77—1829—187.

Conveyance of lands held in.

Imp. Act, 6 G. 4, for extinction of seigniorial tenure, And 31 G. 3, c. 31, s. 43, recited, s. 1.

All conveyances of lands held in, heretofore executed, to be valid though not according to the laws of England; Proviso, *ib.*

Conveyances, &c., hereafter may be executed according to laws of Lower Canada or England, s. 2.

Mortgages, &c., created before this act according to laws of Lower Canada to be valid, s. 3.

Mortgages, &c., hereafter to be created to be made according to the laws of Lower Canada; Proviso, s. 4.

Baillieur de fonds claims not to be prejudiced by this Act, s. 5.

Lands of persons dying intestate how to be partitioned between heirs, s. 6.

But see Note in Tables to Revised Statutes as to the question how far this Act is in force.

4 V. c. 30—1841—195.

Lands held in, how may be conveyed, ss. 38, 39.

7 V. c. 22—1843.

Simple mode of hypothecating lands held in the counties of Missisquoi, Sherbrooke, Shefford, Stanstead and Drummond, (as the counties then were), s. 11.

10, 11 V. c. 111—1847.

Lands in crown seignories when commuted to be held in, ss. 1 and 6.

But subject to laws of Lower Canada, with respect to conveyance, descent, s. 9.

19, 20 V. c. 53—1856.

No lands held in, to be hereafter charged with irredeemable rents or feudal burthens, such stipulations to be null, s. 18.

FREE GRANTS.

16 V. c. 159—1853.

Not exceeding 100 acres may be made to actual settlers on lines of roads in new settlements, s. 9.

Or for markets and other public purposes, to the extent of 10 acres, s. 10.

FREE TRADE, *See* Reciprocity.

FREE-WILL BAPTISTS.

4 W. 4, c. 20—1834—620.

Ministers of, in Stanstead, authorized to keep registers of marriages, births and burials, on taking oath of allegiance and giving security; register how kept, &c.

6 W. 4, c. 49—1836—626.

Ministers of, and certain other societies, generally authorized to solemnize marriages and keep above register on same conditions.

And see Registers.

FRENCH RECORDS, *See* Records.

FRUITS,

4, 5 V. c. 25—1841.

Stealing from a garden, &c., how punishable, s. 34.

FUGITIVE CRIMINALS, *See also* Extradition—Felony.

FUNERAL EXPENSES,

4 V. c. 30—1841—195.

Claim for, not to require registration, s. 2.

FURIOUS DRIVING, *See* Driving.

G A L

GALLON,

39 G. 3, c. 7—1799—306.

Standard, what shall be, and for what purposes, s. 6.

GAMBLING,

41 G. 3, c. 13—1801—255.

Billiard table keeper not to allow apprentices and servants to play, nor any other person to play for money, s. 2.

57 G. 3, c. 16—1817—159.

Penalty on tavern-keepers suffering, in their houses, s. 10.

Apprentices, journeymen and others, how punished—not to affect preceding act, *ib.* *And see* Police.

2 V. c. 2—1838—163.

Persons gambling in taverns to be deemed disorderly persons, s. 9. *And see* 18 V. c. 100, s. 25.

18 V. c. 100—1855.

Town and village municipal councils may make by-laws to prevent, s. 24, par. 22.

GAME AND HUNTING,

14, 15 V. c. 107—1851.

Spring shooting season on beach, in county of Kamouraska, to last from 8th April to 30th May, s. 1.

And fall shooting season to commence on 15th September, and last till game departs, s. 2.

Night shooting forbidden, exception as to ducks, which may be shot for one hour after sunset, s. 3.

Hunting game on the beach at low water forbidden except in a certain manner, ss. 4, 5.

Destruction or stealing of eggs of wild fowl in Lower Canada prohibited, s. 6.

Penalty and mode of recovering it, s. 7.

Act to apply to Kamouraska only, except section 6, s. 8.

7 V. c. 12—1843.

Act 2 V. c. 12, 1839, repealed, s. 1.

Penalty for hunting or killing any deer, &c. between 1st February and 1st August, ss. 2, ?.

GAME AND HUNTING,

- Or selling or having any such in possession, *ib.*
- Or shooting, &c., any woodcock between certain periods, *ib.*
But see 16 V. c. 171, *altering the periods.*
- Or snaring any wild turkey, *ib.*
- Recoverable with costs before one justice, *ib.*
- Charge to be in writing; proceedings thereon, ss. 4, 5.
- Conviction not to be quashed for want of form, s. 6.
- Levying fines, limitation of time for suing, ss. 7, 8.
- Appeal given, s. 9.
- Convictions to be forwarded to the sessions, s. 10.
- Actions for any thing done under this Act to be brought within three calendar months, s. 11.
- Application of penalties, s. 12.
- Act not to extend to Indians, s. 13.

8 V. c. 46—1845.

- Killing any wild swan, goose, duck, teal, widgeon or snipe between the 10th May and 15th August, prohibited, s. 1.
- Trapping or snaring grouse or quail at night prohibited, s. 2.
- Penalty for the above not exceeding £5 nor less than 5s. s. 3.
- Recoverable before one justice, s. 4.
- Act not to extend to Indians, s. 5.

16 V. c. 171—1853.

- Penalty, under 7 V. c. 12, how applied in Lower Canada, s. 1.
- The time for killing woodcock altered to period between 1st February and 15th August, s. 2.
- Period for killing muskrats in certain counties, s. 3.

GAOLER, *And see* Poison.

6 W. 4, c. 15—1836—152.

- To be appointed by Sheriff, s. 15.
- To obey rules made by Sheriff, s. 16.

4 V. c. 20—1841—432.

- Salary of, how paid, s. 16.
- To be appointed or removed by Sheriff, s. 17.
- Penalty on, for allowing spirituous liquors to be used by Prisoners, s. 18.
- Duty of, with respect to person attempting to convey such to Prisoners, *ib.* *And see* 12 V. c. 38, s. 114, *whereby consistent provisions of above ordinance are applied to districts and circuits erected under that Act.*

12 V. c. 38—1849.

- To be appointed in new Districts, and when, s. 12. *See also* Habeas Corpus—Justices of the Peace, *and the subjects to which his duties relate.*

GAOLS,

6 W. 4, c. 15—1836—152—

- Sheriff to have custody of, s. 15.
- Sheriff to make regulations for, and how, s. 16.

GAOLS,

4 V. c. 20—1841—432.

Erection of, and Court Houses in Judicial Districts, *ib.* *And see* Court Houses and Gaols.

13, 14 V. c. 37—1850.

Balance of fee fund to be applied to repair of court-houses, &c., s. 14.

18 V. c. 100—1855.

County municipal councils to make by-laws for acquiring and maintaining, s. 19, par. 2.

Lock-up house may be provided by county municipal council where no district gaol, s. 24, par. 28.

See also House of Correction.

[GARANTIE, ACTIONS EN,

41 G. 3, c. 7—1801.

Writs to summon *garant* in another district how directed, endorsed and served, s. 6.Plaintiff may likewise summon his *garant*, *ib.*

12 V. c. 38—1849.

Powers of superior court with respect to, vested in circuit court, s. 64.

16 V. c. 194—1853.

In matters of real estate, party troubled may proceed against eventual *garant* in first instance; not to prevent him from suing immediate *garant* should he think fit, s. 31.

GARDENS,

4, 5 V. c. 25,

Stealing any thing growing in, punishable by penalty not exceeding £5 over and above the value of the article, s. 34.

Recoverable before one justice, *ib.*Subsequent offence to be felony, *ib.*

18 V. c. 100—1855.

New roads not to be made through, without the consent of owner, s. 52, par. 11.

GARDEN RIVER COPPER MINING COMPANY,

Incorporated, 10, 11 V. c. 76.

GAS AND WATER WORKS,

16 V. c. 173—1853.

General incorporation of joint stock companies for constructing.

Five or more persons to form a company, s. 1.

Capital not to exceed £50,000 if gas or water only supplied : £100,000 in case of both—to be divided into £5 shares, *ib.*Company to be authorized by municipal By-law, *ib.*

Company when established to have general corporate powers s. 2.

Not to hold real estate exceeding in value £7,500, *ib.*

GAS AND WATER WORKS,

- Capital how to be contributed, s. 3.
 Evidence of incorporation, s. 4.
 Affairs to be managed by trustees elected by stockholders, s. 5.
 Elections to be by ballot, s. 6.
 Provision in case any election shall fail, s. 7.
 A president and other officers to be appointed, s. 8.
 Shareholders to pay in their stock when called for, s. 9.
 Instalments not to exceed 10 per cent, *ib.*
 Forfeiture for non-payment, *ib.*—*as amended by 18 V. c. 94, sec. 3.*
 Trustees may sue for calls instead of declaring forfeiture, s. 10.
 What only need be alleged or proved, s. 11.
 Trustees may make by-laws, s. 12.
 Shares on which calls are due, not transferable, s. 13.
 Company not to purchase stock in any other corporation, *ib.*
 Annual statements of affairs to be published, s. 14.
 Penalty on trustees declaring dividends improperly, s. 15.
 Company not to loan money to stockholders, s. 16.
 Penalty on officers publishing false statement of affairs, s. 17.
 Persons holding stock as executors, &c., not to be personally liable, s. 18.
 Nor persons holding stock as security, *ib.*
 Executors, &c., may vote on stock, s. 19.
 But shall not be thereby qualified as trustees or office holders, *ib.*
 A register of stockholders, debts and liabilities, &c., to be kept, s. 20.
 Penalty for non-compliance, s. 21.
 Company may sell gas meters, fittings, coke, &c., s. 22.
 Stock how transferable, s. 23.
 Stockholders indebted to the company not permitted to assign their stock until payment made, *ib.*
 Municipality may subscribe for stock, or loan money to, s. 24.
 Aliens authorized to hold stock in, s. 25.
 Company empowered to break up streets for laying down the mains and pipes, &c., doing no unnecessary damage and preserving a free passage, s. 26.
 May carry their works through private property on certain conditions, s. 27.
 Not to endanger public health, s. 28.
 Penalty for fraudulently obtaining gas or water, s. 29.
 Penalty for wilfully damaging the works of, not exceeding £5, recoverable before one justice, s. 30.
 Act not to prevent private gas or water works, s. 31.
 Service pipes and other property of the company not to be liable for rent, &c., s. 32.
 Penalty for wilfully damaging meters, lamps, &c., s. 33.
 For extinguishing lights, injuring pipes, &c., s. 34.
 Company authorized to cut off gas or water from defaulters, s. 35.
 Company may borrow moneys to a certain amount on security of the works, s. 36.

GAS AND WATER COMPANIES,

Companies' bonds, &c., to be equitably and proportionably liquidated without preference, s. 37.

Directors may authorize the president to sign bonds, &c., s. 38.

Recovery and application of penalties, s. 39.

Stockholders, &c., competent as witnesses in suits where the company is a party, s. 40.

Provision for arbitration where works carried through private property, s. 41.

Certain property not to be used without the owner's consent, s. 42.

Interpretation clause, s. 43.

Exclusive privilege to other companies not to be infringed, s. 44.

Act may be amended, but without impairing then existing rights or liabilities, s. 45.

18 V. c. 94—1855.

Provision for increase of capital of any company, s. 1.

Limitation of increase, *ib.*

Names of subscribers for new stock to be entered, s. 2.

Liabilities of new shareholders, *ib.*

Section 9 of 16 V. c. 173, 1853, amended by inserting one month instead of three months; as the interval between calls on stock, s. 3.

President or three directors may call a special general meeting, s. 4.

Powers of stockholders at such meetings, s. 5.

Pipes of other companies not to be laid within a certain distance of those already laid down by any Company under this act and that amended by it, s. 6.

Word "Directors" substituted for "Trustees" in former Act, s. 7.

Section 43 of said Act (interpretation) incorporated with this, s. 8.

GAS AND WATER COMPANIES, (PRIVATE ACTS,)

See Supplement and the Corporate names of the Companies.

GASPÉ, ADMINISTRATION OF JUSTICE IN,

7 V. c. 17—1843.

So much of 34 G. 3, c. 6, as constitutes Inferior District of Gaspé or Provincial Court therein, repealed, s. 1.

District of Gaspé constituted a distinct District, s. 2.

District Judges—Appointment and residence of, s. 3. *But see* 12 V. c. 40, s. 1.

Circuit Court established and by whom held, s. 4.

Section 5 is repealed by 8 V. c. 32, s. 1.

Writs how tested, ss. 6, 7. *But see* 12 V. c. 40, s. 1.

Bailiffs—Powers—Appointment—Removal—and security, s. 8. *But see* 12 V. c. 40, s. 1.

Bailiffs, powers of Circuit Court as to, and other officers, s. 9.

Bailiffs to be appointed in each Township; Process how served, s. 10.

Courts when and where holden, limits and local jurisdiction of each, s. 11. *But see* 12 V. c. 40, s. 1.

GASPÉ,

Person carrying on business in more than one Circuit, may be sued where he resides, *ib.*

Transmission of Records, &c., from Courts abolished, s. 12.

Pending suits to be continued in Circuit Courts, s. 13.

Court of *Queen's Bench* established; Constitution and proceedings as to Writs, &c., s. 14. *But see* 12 V. c. 40, substituting Superior Court.

Court of *Queen's Bench*; powers of—Appeals from, to be as in Appeals from other Courts of *Queen's Bench*, in Lower Canada, s. 15.

Court of *Queen's Bench*, no Inferior Term, *ib.*

Court of *Queen's Bench*, terms and Return days, s. 16. *But see* 12 V. c. 40, s. 1.

Court of *Queen's Bench*, offenders where to be committed and tried, s. 17.

Grand and Petty Jurors not to be summoned unless Criminal business before the Court, s. 18. *And see* 16 V. c. 197, s. 4.

Witnesses how to be summoned in civil cases, s. 19.

Joint Clerks of *Queen's Bench*, how appointed, their duties, s. 20.

Records of Court of *Queen's Bench*, where to be kept, s. 21.

Duplicate registers and plunitifs to be kept by joint prothonotaries, s. 22.

Transmission of records and registers of Gaspé land claims, ss. 23, 24.

Pending suits continued in court of *Queen's Bench*, s. 25.

Sheriff—appointmant of—security, s. 26.

Sheriff—sales by of real property, where made and notice thereof, s. 27.

Court of *Queen's Bench*, of district of Quebec, to complete certain pending suits, s. 28.

General sessions—new terms of—chairman, s. 29.

Certain Acts, repealed, and all provisions inconsistent with this Act, s. 30.

Laws repealed by said acts to remain repealed, *ib.*

Interpretation clause, s. 31.

Act to commence 21st April, 1844, s. 32.

8 V. c. 32—1845.

Section 5 of above act repealed, s. 1.

Circuit court and judges—powers defined, s. 2.

7 V. c. 16, to apply, *ib.* *But that Act is repealed by* 12 V. c. 38.

Same fees to be taken as in other circuit courts, s. 3.

10, 11 V. c. 13—1847.

Who to be deemed proprietors in, for purposes of this (summoning of Jurors) Act, s. 5.

12 V. c. 40—1849.

Certain portions of 7 V. c. 17, inconsistent with 12 V. cc. 37, 38, and this act, repealed, s. 1.

Superior court, in Gaspé, terms of—by whom may be held, s. 2.

Superior court, to have powers not only of same court in other districts, but also of court of *Queen's Bench*, crown side; certain provisions of 12 V. c. 37 extended to, s. 3.

GASPÉ,

Provisions of 7 V. c. 17, to apply to superior and circuit courts in Gaspé, when not inconsistent, &c., s. 4.
Commencement of act, s. 5.

14, 15 V. c. 19—1851.

A second term of the superior court in Gaspé, may be held.

16 V. c. 197—1853.

Provision of 7 V. c. 17, relating to summoning of jurors, not to be affected by 10, 11 V. c. 13, s. 4.

GASPÉ, GAOLS, &c., IN,

48 G. 3, c. 35—1808—439.

Declared common Gaols for certain places, Sheriff to have charge of, s. 7.

Gaolers how appointed, s. 8.

To serve as Houses of Correction, s. 10.

GASPÉ, LANDHOLDERS IN,

For relief of certain, 10, 11 V. c. 30.

GASPÉ SESSIONS OF THE PEACE IN,

Provisions respecting 9 V. c. 13.

GASPÉ, TITLES TO PROPERTY IN,

4 G. 4, c. 15—1824—228

To make valid certain Acts and Contracts of Marriage executed in, and to provide for want of Notaries.

Actes sous seing privé heretofore made, how and by whom may be made authentic, proceedings thereon, ss. 1, 9.

For three years after passing of Act, Deeds, &c., executed in manner herein mentioned to be authentic, s. 10.

Original minutes to be kept by Prothonotary of Provincial Court, *ib.*

6 W. 4, c. 53—1836—232.

59 G. 3, c. 3, and 1 W. 4, c. 23, repealed, s. 1.

Certain adjudications under said Acts to have effect of grants from the Crown, s. 2.

Duplicate Registers under 59 G. 3, c. 3, to be deposited of record in Provincial Court, (*now* Superior Court) s. 3.

Certified copies to be authentic—Fees, *ib.*

Original register to be deposited in office of Her Majesty's Executive Council, s. 4.

Extracts how obtained—Fees, *ib.*

3 & 4 V. c. 5—1840—231.

Deeds &c., executed previous to 1st May 1840, in manner prescribed by sec. 10 of 4 G. 4, c. 15, to be authentic, s. 1.

And those so executed subsequently to have like effect provided that there be not two notaries residing and practising in County where passed, s. 2. See also 2 W. 4, c. 51, providing that certain marriages within four years from date of Act, proved in the manner therein mentioned shall be valid.

GASPÉ, FISHERIES IN,

Regulated, 4, 5 V. c. 36.
See Saguenay and Gaspé.

GASPÉ FISHERY AND COAL MINING COMPANY,

Incorporated, 7 V. c. 45.
Imperial Act confirmed, 8 V. c. 97.

GAZETTE, See Canada Gazette.**GENERAL ISSUE,**

24 G. 3, c. 1—1784—118.

Special matter may be given in evidence under, in actions against parties acting under *Habeas Corpus Act*, s. 19.

14, 15 V. c. 54—1851.

Justices and public officers may plead general issue and give special matter in evidence in actions against them, s. 5.

GENERAL SESSIONS OF THE PEACE,

See Quarter Sessions.

GENERAL HOSPITAL,

See Community of Nuns of the, &c.

GEOLOGICAL SURVEY,

8 V. c. 16—1845.

Governor in council authorized to appoint proper persons to make a geological survey of the province.

A sum not exceeding £2,000 to be appropriated annually for a term not exceeding five years.

Extended by 13, 14 V. c. 12, 1850, for a limited time.

Further grants for, 18 V. c. 4, and 18 V. c. 90 (in the schedules.)

19, 20 V. c. 13—1856.

Five thousand pounds per annum, for five years, appropriated to defray expenses of, s. 1.

Governor may employ competent persons to complete the survey; geological museum may be established, s. 2.

Candidates for admission as provincial land surveyors, to be examined in geology; director of survey to be member of boards of examiners, s. 3.

Fixed points of reference for latitude, longitude and level, to be established, s. 4.

Railway and canal companies to furnish certified copies of plans and sections to geological survey, s. 5.

Director of, to make an annual report, s. 6.

Accounting clause, s. 7.

GERMAN EVANGELICAL CHURCH,

For relief of, 18 V. c. 59.

GLEN, R.,

Bridge over river Richelieu, 1 W. 4, c. 49.

GORE BANK,

See President, &c. of.

GOSSELIN, A.,

Bridge over River Boyer, 7 V. c. 56.

GOULD, IRA, AND OTHERS,

Naturalized, 14, 15 V. c. 43.

GOVERNMENT BUILDINGS, TORONTO, (SEAT OF GOVERNMENT.)

16 V. c. 161—1853.

£50,000 granted for the erection of a government house and parliament buildings, &c., s. 1.

To be built on University Ground, paid for to the University Fund, s. 2.

Money to be paid out of the university fund and interest paid to the fund by the Province, s. 3.

Site of present parliament building to be sold, &c., s. 4.

Accounting clause, s. 5.

GOVERNOR OF THE PROVINCE,

12 V. c. 10—1849.

And his successors, to be a corporation sole, s. 4.

GRACE, OLIVER,

Attainder of, reversed, 12 V. c. 175.

GRAIN AND PULSE,

16 V. c. 193—1853.

To establish a standard weight for.

Act of U. C. repealed, s. 1.

Certain weights established, as equal to the Winchester bushel, s. 2.

In all contracts made after this act the bushel to be deemed to mean the weight, and not the measure, unless the contrary have been agreed, s. 3.

18 V. c. 15—1854.

Section 4 of 16 V. c. 193, repealed, and sections 2 and 3 extended to Lower Canada, s. 1.

What shall be understood by the word "*minot*" in respect of sale or delivery of, s. 2.

GRANBY AND ST. JOHN'S,

Turnpike Road, 4 V. c. 11.

GRAND JURY.

44 G. 3, c. 7—1804—178.

Foreman of empowered to administer necessary oath to witnesses in lieu of court.

And see Juries.

GRAND LARCENY, See Larceny.**GRAND TRUNK RAILWAY COMPANY,**

Incorporated, 16 V. c. 37.

Provincial guarantee limited, s. 27.

Charter amended, 18 V. c. 33.

Union of divers railway companies, and undertakings with it, confirmed, viz., Grand Trunk of Canada East—Grand Junction—Toronto and Guelph—Quebec and Richmond—

GRAND TRUNK RAILWAY,

St. Lawrence and Atlantic—and Victoria Bridge at Montreal, ss. 1, 2.

Increase of capital, ss. 7, 8.

Lien for guarantee, and conditions on which guarantee shall be hereafter given, s. 20.

May alter location in Toronto, 18 V. c. 175.

Provincial loan of £900,000, 18 V. c. 174.

Additional aid to, 19, 20 V. c. 111.

See also Railways.

GRAND AND SUBORDINATE DIVISIONS OF THE SONS OF TEMPERANCE IN LOWER CANADA,

Incorporated, 18 V. c. 231.

GRAND TRUNK RAILWAY COMPANY OF CANADA EAST,

(TROIS PISTOLES),

Incorporated, 16 V. c. 38.

GRANTS, ORIGINAL,

4 V. c. 30—1841 195.

Not to require registration, s. 4.

GRASS, Preservation of, on beaches in district of Quebec. See Beaches, &c.

GREVÉ DE SUBSTITUTION,

See Seignioral Tenure—Substitution.

GREY NUNS, MONTREAL,

May sell land at Pointe-à-Callières, 9 V. c. 92.

at St. Charles, 16 V. c. 116.

GROCERS,

10, 11 V. c. 25—1847.

Disqualified from being shipping master or deputy, s. 3. See also Taverns.

GROSBOIS, Common of,

To regulate, 6 G. 4, c. 10—9 G. 4, c. 32—1 W. 4, c. 32.

GUARANTEE,

10, 11 V. c. 11—1847.

In what cases a written memorandum shall be necessary, to maintain action on, s. 7.

GUARDIAN,

18 V. c. 108—1855.

Défendant not to be to *saisie gagerie*, without consent of plaintiff, or giving security, s. 18.

Sureties to be liable to same penalties as, under writ of execution, *ib.* And see Curators—Tutor.

GUIDE POSTS,

18 V. c. 100—1855.

How may be set up on roads in municipalities, s. 63.

GULF OF ST. LAWRENCE,

9 V. c. 60—1846.

£19,000 due to the province by the Montreal harbour com-

GULF OF ST. LAWRENCE,

missioners appropriated for improving the navigation of, from Quebec to the Ocean, s. 1.

GUNPOWDER,

59 G. 3, c. 9—1819—74.

To regulate landing &c. of in Quebec.

3, 4 V. c. 33—1840—73.

To regulate the keeping of in and near Montreal.

See also Montreal—Quebec.

18 V. c. 100—1855.

Keeping of, in towns and villages how regulated, s. 24, par. 14.

H A B

HABEAS CORPUS, WRIT OF,

24 G. 3, c. 1—1784—118.

Prisoners entitled of right to demand and obtain writ of, and from whom, s. 1.

Service thereof regulated, s. 2.

Sheriffs, gaolers, &c., bound to bring up body, and when; their charges to be first paid or tendered, and indorsed on writ, *ib.*

Sheriffs may require security and what, for charges of bringing back prisoner and exception in cases of treason or felony, *ib.*

Sheriff to certify cause of detainer, &c., *ib.*

Time allowed for return of, regulated by distance, *ib.*

Certifying cause of detainer, and that charges have not been paid or tendered, sufficient return without the body, *ib.*

Writs of, how to be endorsed, s. 3.

How obtained, served and returned in vacation, *ib.*

Not granted in cases of treason or felony, *ib.*

Prisoners discharged upon, what recognizance to be taken, *ib.*

Writ and recognizance how certified and returned, *ib.*

Prisoners not to be discharged upon, in certain cases, *ib.*

Persons convict or in execution not entitled to, *ib.*

Writs of, not to issue in vacation; if not applied for during two terms, s. 4.

Writs of, officers neglecting to obey, or refusing copy of warrant to forfeit £100 stg., s. 5.

For second offence £200 stg. and loss of office, *ib.*

Penalties how recovered and applied, *ib.*

Prisoners not to be removed but by, except in certain and what cases, s. 6.

Persons causing such removal how punished, *ib.*

Persons discharged on, not to be recommitted for same offence except by certain courts, under penalty of £500 stg. s. 7.

Persons committed for treason or felony, how bailed or discharged if not indicted or brought to trial, s. 8.

HABEAS CORPUS,

Persons confined under civil process, to be detained after such discharge, s. 9.

Judges refusing writ of, to forfeit £500 stg. s. 10.

Sending prisoners out of Province declared illegal, s. 11.

Person concerned therein how prosecuted—£500 damages and treble costs, *ib.*

Certain cases, and what excepted, ss. 12, 14.

No person to be removed upon, after session proclaimed, but must be brought before court, s. 15.

Writ of, may be obtained after the session, s. 16.

Persons charged with certain offences, not to be removed or bailed, otherwise than by common law of England, s. 17.

But see 4, 5 V. c. 24, ss. 5, 6.

Limitation of actions, s. 18.

Defendant may plead general issue, and give special matter in evidence, s. 19.

34 G. 3, c. 6—1794—101.

Courts and judges of King's Bench to have powers respecting, granted by 24 G. 3, c. 1, and subject to same penalties, s. 37.

Writ of may run into district of Three-Rivers from those of Quebec and Montreal—how returnable, *ib.* *But see below* 1 G. 4, c. 8, s. 1.

35 G. 3, c. 1—1795—110.

How to be issued when offender committed in district other than that in which he is to be tried, s. 5. *But see* 4, 5 V. c. 24.

52 G. 3, c. 8—1812—125.

Ad subjiciendum, may be granted in vacation by any one judge, and how obtained, s. 1.

To be returnable immediate, *ib.*

Ad subjiciendum, service thereof, s. 2.

Persons refusing to return or obey, declared guilty of contempt, and process may issue, *ib.*

Judge empowered to punish contempts, *ib.*

May in certain cases be made returnable into court, *ib.*

Writs of, granted in term, may in certain cases be made returnable in vacation, *ib.*

Truth of facts to be investigated on return, and decision regulated, s. 3.

Truth of facts where doubtful, judge may admit to bail and return proceedings into court, *ib.*

How finally determined, *ib.*

Truth of return may be controverted, s. 4.

Judge may order payment of charges and enforce the same, s. 5.

Not to extend to relief of persons confined for debt, s. 6. *But see* 12 V. c. 42.

Certain provisions of this act extended to Writs obtained under 31 par. 2 or 24 G. 3—full benefit of which is reserved, s. 7.

1 G. 4, c. 8—1821—127.

Certain part of section 37 of 34 G. 3, c. 6, repealed, s. 1.

HABEAS CORPUS,

Writs of, how returnable in Montreal and Quebec, *ib.*

Penalty for denial of, *ib.*

Powers granted by said section to be vested in puisné judge and provincial judge of Three-Rivers, s. 2.

12 V. c. 37—1849.

Powers of court and judges of Queen's Bench respecting; penalty for refusing writ in vacation, s. 41.

12 V. c. 38—1849.

Power granted to superior and circuit courts and judges to issue, s. 98.

Penalty on judges refusing, how recovered, *ib.*

HALL, W.,

Bridge over river Etchemin, 58 G. 3, c. 21.

Bridge over river St. François, 58 G. 3, c. 22.

HARBOUR MASTER,

47 G. 3, c. 9—1807—56.

Duty of, with respect to the discharge of seamen, s. 9.

HARBOURS,

9 V. c. 37—1846.

Management of those constructed with provincial funds transferred to commissioners of public works, s. 7.

To be vested in Her Majesty, s. 23.

Harbours specially mentioned in Schedule as referred to in the Act.

12 V. c. 5—1849.

Sales and transfer of, to local authorities, authorities or companies, authorized, s. 12.

See also Public Works.

HARBOUR, WHARF, DOCK, &c. COMPANIES, (PRIVATE Acts,)

See the several Companies by their Corporate Names—and Supplement.

HARD LABOUR,

4, 5 V. c. 24—1841.

When punishment of, may be inflicted, s. 28.

HATLEY AND BOLTON,

Township of Magog formed out of part of each, 12 V. c. 133.

HATLEY, TOWNSHIP,

To enable its sureties to enforce claim against it, 12 V. c. 134.

HAWKERS AND PEDLERS,

35 G. 3, c. 8—1795—249.

Must take out license to be renewed annually, ss. 1, 2.

To take oath of allegiance at quarter sessions, and obtain certificate thereof from clerk of the peace, s. 5.

Licenses how granted, s. 6.

Trading without a license or refusing to produce the same, to forfeit £10, s. 7.

May have a servant under same license, s. 8.

HAWKERS AND PEDLERS,

- Proceedings upon refusal to produce license, s. 9.
 Penalty for forging license, s. 10.
 Penalty for lending license, how recovered, s. 11.
 Holding seditious language how punished, s. 12.
 May sell certain articles without license, s. 13.
 Penalties how recovered, ss. 14, 15. *But see below 3 G. 4, c. 12.*
 Actions how limited, s. 16.
 May appeal to quarter sessions from convictions, s. 17.
 Penalties on witnesses for non-appearance, s. 18.
 Moneys how applied, s. 19.
 Suits against parties acting under this Act how limited; general issue; treble costs, s. 20.
This Act is repealed so far as regards the sale of spirituous liquors.

3 G. 4, c. 12—1823—255.

- Powers of justices under sec. 15 of above Act extended to weekly sittings, s. 1.
 Evidence to be taken in writing, s. 2.
 Appeal allowed to quarter sessions, s. 3.

HEALTH, PUBLIC, *See* Boards of,—Public Health.

HEIRS, *See* Aliens—Descent—Devise—Will.

HIGH SCHOOL OF MONTREAL,

Incorporated, 8 V. c. 104.

HIGH SCHOOL OF QUEBEC,

Incorporated, 8 V. c. 105.

HIGH TREASON,

4, 5 V. c. 24—1841.

- Jury on trial for, not to inquire concerning prisoner's lands or goods or whether he fled, &c., s. 16.
See also Attainder—Rebellion—Treason.

HIGHWAYS, *See* Roads.

HOGS,

13, 14 V. c. 40—1850.

- Not to run at large without ring; penalty, s. 14. *And see* Animals.

HOCHELAGA AND THREE-RIVERS,

Municipalities divided, &c., 9 V. c. 78.

HOLIDAY,

12 V. c. 10—1849. (Interpretation Act.)

- What days the word "Holiday" shall include in any Provincial Statute of this or any future session, s. 5, art. 12.

12 V. c. 22—1849.

- What to be considered such with reference to bills and notes, s. 26.

HOLIDAY,

12 V. c. 38—1849.

Rule as to, in matters of judicature, s. 90.

18 V. c. 10—1854.

Bills and notes of which the last day of grace expires on,
to be payable the day after.

18 V. c. 100—1855.

Regulations concerning, in municipal matters, s. 12, par. 2.
And see Sunday.**HOMICIDE,**Committed *se defendendo*, or by misfortune, not punishable,
4, 5 V. c. 27, s. 8. *See also* Murder—Manslaughter.**HOP BINDS,**

4, 5 V. c. 26—1841.

Malicious destroying, felony, s. 18.

HOPITAL DE LA MATERNITÉ, MONTREAL,*See* Sœurs de Miséricorde, &c.**HORSES,**

4, 5 V. c. 25—1841.

Stealing of, how punishable, s. 29. *And see* Animals.**HORTICULTURAL SOCIETIES,**

19, 20 V. c. 47—1856.

A limited sum from allowance to agricultural societies may
be applied for encouragement of, s. 4.

16 V. c. 18 to apply to, with certain exceptions, s. 10.

And see Agricultural Societies.**HORTICULTURAL SOCIETY OF MONTREAL,**

Incorporated, 12 V. c. 153.

HOSPICE DE ST. JOSEPH DE LA MATERNITÉ, QUEBEC,

Incorporated, 18 V. c. 226.

HOSPITALS,

35 G. 3, c. 4—1795—611.

Act touching registers of burials, &c., extended to, s. 8.

HOTEL-DIEU, MONTREAL,*See* Sœurs Hospitalières, &c.**HOTELS,**

16 V. c. 172—1853.

Provisions of Act 13, 14 V. c. 28 (for incorporation of com-
panies for manufacturing, mining, &c., extended to com-
panies for erecting public hotels, baths or bath-houses,
&c., s. 1.*See* Manufacturing, &c. Companies—Taverns.**HOUSE OF ASSEMBLY,***See* Legislative Assembly,**HOUSES, See** Buildings.

HOUSE BREAKING,

4, 5 V. c. 25—1841.

Breaking and entering any building, not being part of the dwelling-house, and stealing therein, how punishable, s. 19.

Breaking and entering any shop, warehouse or counting-house, and stealing therein, how punishable, s. 20.

See also Burglary.

HOUSES OF CORRECTION,

48 G. 3, c. 35—1808—439.

Gaols in Gaspé to serve as, s. 10.

57 G. 3, c. 10—1817—78.

Governor authorized to advance certain sums of money for temporary houses of correction, s. 1. *But see below, 58 G. 3, c. 14.*

Portions of gaols in Quebec and Montreal may be appropriated for, *ib.*

Governor to appoint three justices in each district to superintend them, s. 3. *But see below, 9 G. 4, c. 4.*

Their powers and how carried into execution; exception, *ib.* Judge may commit to, instead of burning in the hand, s. 4.

But see 4 & 5 V. c. 24, s. 19, abolishing benefit of Clergy. Section 5 is repealed by 4 & 5 V. c. 25, s. 70, as to offences subsequent to that Act, see also 6 V. c. 5. s. 4.

When and how persons convicted of Felony and sentenced to death without benefit of Clergy, may be sent to, s. 6.

But see 4 & 5 V. c. 24, ss. 25, 26, 27, 28 and 48.

Persons sent to, under this Act, to be kept apart from all others, s. 7.

58 G. 3, c. 14—1818.

Sums granted by above Act made annual, s. 1.

Further sum not exceeding £100 per annum, may be granted for district of Montreal, s. 2.

Moneys how accounted for, s. 3.

3 G. 4, c. 32—1823—82.

Governor may appropriate as, part of Gaol at Three Rivers.

9 G. 4, c. 4—1829—82.

Houses of Correction forming part of Gaols to be under management of Sheriff, s. 2.

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HUNTINGDON ACADEMY,

Incorporated, 18 V. c. 57.

HUNTINGDON COUNTY,

Divided into Two Registration districts, 13, 14 V. c. 108—18 V. c. 170, (as to No. 1.)

HUNTINGDON PLANK ROAD COMPANY,

Incorporated, 9 V. c. 84.

HUOT AND JACOB,

Bridge over river Montmorenci, 52 G. 3, c. 17.

HURON AND ST. MARY'S COPPER COMPANY,

Incorporated, 10, 11 V. c. 71.

HURON COPPER BAY COMPANY,

Incorporated, 12 V. c. 165.

HURON MINING COMPANY,

Incorporated, 12 V. c. 164.

HUSBANDS, See Married men.**HYPOTHECARY ACTIONS,**

4 W. 4 c. 4—1834—141.

Where and how may be instituted and subsequent proceedings thereon, s. 5.

18 V. c. 106—1855.

Proceedings where proprietor of land hypothecated is unknown or uncertain.

Hypothecary creditor may present petition to superior court; what particulars to be set forth therein, s. 1.

After due proof, Court shall order publication of—notice in English and French newspapers for four consecutive weeks, ss. 2, 3.

Notice to be published and posted up at parish church, s. 4.

If no one appears within two months after last publication, plaintiff may proceed by default, s. 5.

Judgment may be executed as in ordinary hypothecary actions, s. 6.

Proprietors may appear at any time before judgment, s. 7.

Form of appearance, *ib.*Petition to file declaration, *ib.*

Proceedings in case of several persons appearing and claiming to be proprietors, ss. 8 to 10.

If judgment be rendered ordering sale, parties appearing to be collocated on proceeds, s. 11.

Proprietor not appearing before sale, may put in claim for balance of proceeds, s. 12.

Prothonotary to publish list of unadjudged balances every January, s. 13.

Rules of practice and tariff to be prepared by superior court, s. 14.

Service of judgment need not be made except in case mentioned in section 7, s. 15.

Proceedings in case of known proprietors holding jointly with others unknown, s. 16.

Meaning of the word "proprietor," for purposes of this act, s. 17.

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9 G. 4, c. 20—1829—191.

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7 G. 4, c. 77—1829—187.

On lands in free and common soccage, how created, s. 4.
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4 V. c. 30—1841—195.

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when to be registered (*extended to 1st Nov., 1844, by 7 V.*
c. 22, s. 12), s. 4.

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s. 18. *But see 7 V. c. 10, s. 37.*

Memorials of, in contracts of marriage of minors, by whom
to be registered, s. 25.

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to certain lands; and how, s. 26.

General legal, resulting from same cause, may also be
restricted, s. 27.

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1841; all conventional hypothecs must be special and for
a sum certain, s. 28. *But see 16 V. c. 206.*

General legal, what only to be created after 31st Dec.,
1841, on estates of married men for dotal sums, &c., of
tutors and curators of crown debtors, s. 29.

Arising from judgments, how restricted, s. 30.

None to subsist on lands of husband for indemnity for dower
on lands alienated with consent of wife, s. 35. *And see*
16 V. c. 206, s. 9.

Discharge of, how to be registered, ss. 45, 46.

7 V. c. 22—1843.

Partial discharge of how registered, s. 8.

16 V. c. 206—1853.

Parties giving, on property to which they have no claim
how punished, s. 8.

18 V. c. 3—1854.

Seignior to be maintained in, for arrears due at time of
commutation, s. 32.

18 V. c. 99—1855.

Discharge of, where to be registered when registry office
removed under this Act, s. 9.

18 V. c. 100—1855.

Sale of land by auction for taxes to purge the same from
all, s. 75, par. 6.

18 V. c. 110—1855.

Hypothecs *droits ouverts* purged by adjudication under forced
licitation as by sheriff's sale, s. 3.

See also *Bailleur de Fonds*—Hypothecary Actions—Privi-
lege—Registration.

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ILLEGITIMATE CHILD,

See Bastards—Concealment of birth.

IMMOVEABLES,

9 G. 4, c. 20—1829—191.

By fiction of law, how dealt with on ratification of title,
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IMPERIAL FIRE, MARINE AND LIFE INSURANCE COMPANY,

Incorporated; 18 V. c. 210.

IMPRISONMENT,

24 G. 3, c. 1—1784—118.

Beyond the sea declared unlawful, s. 11.
Excepted cases, ss. 12, 13.

12 V. c. 42—1849.

For debt abolished, s. 1. *And see* Debtor—*Capias*. *See also*
Justices—*Habeas Corpus*.

IMPRISONMENT, in criminal cases.

4; 5 V. c. 24—1841.

Imprisonment of convicts after sentence to be reckoned in
term of transportation, s. 6. *See also* 6 V. c. 5, s. 4, *Sub-*
stituting imprisonment in penitentiary for transportation.

IMPRISONMENT AND DETENTION IN GOAL,

12 V. c. 10—1849.

Where to be when no other place is appointed in Statutes
of this or any future Session, s. 5.

INCOMPETENCY, *See* Recusation—Witnesses.**INCORPORATION,**

Of towns and villages. *See* Towns and Villages,

INCORPORATION OF COMPANIES, &c.

General provisions for the Incorporation of companies and
associations for divers purposes.

*See Supplement, and also the several objects for which the
companies may be so incorporated.*

INCUMBRANCES,

See Hypothecs—Privileges—Ratification of Title—Regis-
tration.

**INDEMNITY. *See* Rebellion—and the subjects to which the in-
demnity refers.****INDEPENDENCE,**

See Judges—Legislative Assembly.

INDIAN RESERVATION OF SAINT REGIS (DUNDEE)

I W. 4, c. 39—1831—37.

Tract heretofore known by above title, to be designated township of Dundee; and inhabitants declared to have same rights as those of other townships.

INDIANS,

17 G. 3, c. 7—1777—572.

No strong liquor to be sold to, without special license; who may grant license, s. 1. *But see below* 31 G. 3, c. 1, s. 3. Penalty, *ib.*

No person to purchase clothes, arms, &c., from; penalty, s. 2. *But see below* 3, 4 V. c. 44, s. 3.

No person to settle in any Indian village without a license; penalty, s. 3. *But see below* 31 G. 3, c. 1, s. 6.

31 G. 3, c. 1—1791—573.

No license required for trading with, or selling strong liquors to; exception, s. 3.

Such trade and sale of liquors, how may be restrained, s. 4. 17 G. 3, c. 7, s. 3 to refer only to aliens who may not have taken oath of allegiance within certain time, s. 6.

Proviso respecting passes, s. 7.

3, 4 V. c. 44—1840—574.

Section 4 of 17 G. 3, c. 7 repealed, s. 1.

Governor may order person resident in any Indian village to remove therefrom—penalty, s. 2.

Penalties imposed by 17 G. 3, c. 7, how recovered, s. 3.

Informations, &c., how limited, s. 4.

12 V. c. 56—1849.

Lands of, when taken by joint stock companies under this Act, how compensated for, s. 16.

13, 14 V. c. 42—1850.

For the protection of lands and property of:

Commissioner of Indian lands, how appointed, s. 1.

Commissioner to hold lands and receive rents, &c., in trust for Indians—exception, *ib.*

Commissioners, suits how to be brought by or against, s. 2.

Commissioners, powers of with respect to such lands, s. 3.

Commissioners, how responsible—Security, *ib.*

Rights of individual Indians not affected, s. 4.

Section 5 is repealed.

Interpretation Act to apply, s. 6.

14, 15 V. c. 59—1851.

Sec. 5 of 13, 14 V. c. 42, repealed, s. 1.

Who to be considered Indians, s. 2.

14, 15 V. c. 106—1851.

230,000 acres of land may be set apart for, in Lower Canada, by orders in Council and vested in Commissioner of Indian lands, s. 1.

£1,000 may be distributed annually amongst the Indian Tribes, as Governor in Council may direct, s. 2.

INDIANS,

18 V. c. 3—1854.

Wild lands in seigniories held in trust for, not affected by
Seigniorial Tenures Abolition Act, s. 35.

INDICTABLE OFFENCES, *See* Criminal Law—Justices.

INDICTMENTS,

2 V. (3) c. 23—1839—177.

For misdemeanor before Courts of Oyer and Terminer not
to be traversed *nisi bona causa*. *And see* 4, 5 V. c. 24, s. 3.

4, 5 V. c. 24—1841.

Allegation of former sentence sufficient, without alleging
indictment &c., s. 26.

Partnership property how laid in; s. 42.

In cases of churches, bridges, &c., s. 43.

In cases of turnpike trusts, s. 44.

Not to abate by dilatory plea of misnomer, &c., s. 45.

Certain defects not to stay judgment, s. 46.

4, 5 V. c. 25—1841.

Distinct Acts of embezzlement may be charged in; s. 40.

12 V. c. 21—1849.

For stealing, may contain a count for receiving, and prose-
cutor not required to elect, s. 1.

May be amended as to written matter, by order of court,
s. 2.

14, 15 V. c. 96—1851.

On certificate of Indictment being found Justice to issue
warrant to apprehend accused, s. 2.

18 V. c. 92—1855.

May be amended at trial in matter immaterial to the merits,
and effect of such amendment; ss. 1, 2, 3.

Need not be on parchment except in cases of high treason,
s. 5.

Averment in indictment for murder, s. 6.

“ “ for manslaughter, *ib.*

What a sufficient description of instrument in indictment
for forging, stealing, &c. any instrument; s. 7.

What a sufficient description of instrument in indictment
for engraving, or having illegally possession of any plate
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What a sufficient description of instrument in indictment in
other cases, relating to instruments in writing, &c., s. 9.

General allegation of intent to defraud, sufficient without
alleging any particular person; s. 10.

False pretences, averment of, what sufficient, s. 12.

What averment sufficient in cases of perjury, s. 21.

What averment sufficient in cases of subornation of per-
jury, *ib.*

Venue, how to be stated in indictments, s. 24.

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See also Justices—Criminal Law.INDIGENT PERSONS, *See* Poor.

INDORSEMENT,

10, 11 V. c. 11—1847.

By creditor on bill or note, of memorandum of payment, not sufficient to take case out of statute of limitations, s. 4.

12 V. c. 22—1849.

Of bills or notes, how made; rights and liabilities of indorser and indorsee, s. 2.

INDUSTRY VILLAGE AND RAWDON RAILROAD COMPANY,

Incorporated, 13, 14 V. c. 115.

Charter amended, 16 V. c. 48—16 V. c. 246.

INFANTICIDE, *See* Concealment of Birth.

INFECTIOUS DISEASES,

See Contagious Diseases—Public Health—Quarantine.

INFORMATIONS OR COMPLAINTS,

52 G. 3, c. 7—1812—183.

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4 G. 4, c. 19—1829—183.

One justice may receive, though two or more be required to hear and determine, s. 7. *And see* 14, 15 V. c. 95.

12 V. c. 41—1849.

Against persons acting as a corporation without being legally incorporated, and against corporations offending against or exceeding their powers, how and by whom to be instituted, s. 8. *And see* Corporations.

14, 15 V. c. 95—1851.

Insufficiency of, or variance with evidence, not to be objected to before a Justice in summary matters, s. 1.

Need not be sworn to except when warrant to be issued; by whom to be sworn to and made; to contain only one matter of offence, s. 9. *But see* 19, 20 V. c. 101, s. 27.

To be laid within six calendar months, unless otherwise provided for by Act, s. 10.

How to be heard before Justices, s. 11.

Proceedings at hearing regulated; proof; certificate of dismissal of, to be bar to any subsequent complaint, s. 13.

Who competent witness in support of, s. 14.

14, 15 V. c. 96—1851.

In Indictable offences, information to obtain warrant must be in writing and under oath; no defect in form or variance with evidence to be objected to, s. 4.

Form of, Schedule A. *And see* Justices of the Peace.

18 V. c. 97—1855.

Want of form in, or variance with evidence, not sufficient to base appeal on, unless it be proved that although it had been shewn to Justice that party summoned had been misled, such Justice had nevertheless refused to adjourn hearing, s. 1.

INLAND NAVIGATION, *See* Navigation, Inland.

INNKEEPERS,

Imp. Act 14 G. 3, c. 88.

Duty imposed or licenses for keeping houses of public entertainment, or retailing wines or spirituous liquors, s. 5.

Penalty for acting without a license, *ib.*

See also Taverns.

INNS,

14, 15 V. c. 100—1851.

What accommodation to be provided at, s. 10. *And see* Taverns.

INOCULATION, *See* Small Pox.

INQUESTS,

34 G. 3. c. 6—1794.

May be held by officers of militia, and how, s. 36. *And see* Coroner.

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INSCRIPTION,

7 V. c. 19—1843.

En faux in commissioners' court, to be determined by court of Queen's Bench, (*now Superior Court*,) s. 16.

12 V. c. 41—1849.

For hearing, how may be made in suits against corporations, &c., under this act, s. 4.

18 V. c. 199—1853.

For hearing, in matters of *certiorari* when may be made, s. 2.

18 V. c. 104—1855.

For hearing, how fixed in appealable cases, in the circuit court, where no resident judge, s. 6. *But see* 19, 20 V. c. 55, s. 10.

18 V. c. 108—1855.

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4 V. c. 30—1841—195.

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12 V. c. 38—1849.

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14, 15 V. c. 93—1851.

Of donations, what registration to be deemed a sufficient as to;—Deeds registered not to be null for want of insinuation according to laws in force prior to 4 V. c. 30,—s. 4.

18 V. c. 101—1855.

Of substitutions in courts of justice abolished, s. 1.

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Where and within what delay to be registered, *ib.*

INSPECTION,

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and Meal—Lumber—Weights and Measures.

INSPECTORS OF SCHOOLS,

14, 15 V. c. 97—1851.

How appointed,—their duties and how remunerated, ss. 3, 7.

And see 19, 20 V. c. 54, s. 17.

To be *ex-officio* justice of the peace, *ib.*

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INSPECTOR OF FENCES AND DITCHES,

13, 14 V. c. 40—1850.

Road surveyor to be, when no other appointed, s. 16.

And overseer of roads in absence of road surveyor, s. 17.

When chosen by municipal council, to perform duties imposed on road surveyor by this (Agricultural) Act, under same penalties, s. 55.

18 V. c. 110—1855.

How appointed by municipal councils, s. 32.

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INSPECTORS OF POLICE,

2 V. (1) c. 2—1839—163.

How appointed; need not have property qualification; duties, s. 1. *But see* 6 V. c. 3.

Oath to be taken by, s. 2.

14, 15 V. c. 95—1851.

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14, 15 V. c. 96—1851.

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INSPECTORS OF REGISTRY OFFICES,

18 V. c. 99—1855.

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18 V. c. 100—1855.]

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To give out works for repair of by-roads, &c., and when, s. 45, par. 6.

To accompany county superintendent on his examination of roads, &c., s. 54, par. 5.

To make a monthly examination of roads, give orders to overseers, &c., s. 55.

To give notice of his visit, *ib.* *But see* 19, 20 V. c. 101, s. 22.

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INSPECTOR OF ROADS,

- To remove all obstructions from the roads and report encroachments to county superintendent, s. 56.
 To direct overseers of roads, &c., s. 57.
 Liable for damages caused by his negligence, s. 58.
 To sue for labor and materials in arrear, s. 62.
 To regulate performance of statute labor in default of county superintendent, s. 71, par. 4.
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INSPECTORS, REVENUE,

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INSTALMENTS, (PAYMENT BY)

- 12 V. c. 38—1849.
 Judges of circuit court may order payment by, s. 66.
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 Effect of non-payment of any instalment, *ib.*
 14, 15 V. c. 103—1851.
 Assessments for erection of churches, to be paid by 12 equal, s. 1. *But see below* 18 V. c. 112, s. 2.
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 18 V. c. 112—1855.
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INSTITUT CANADIEN, MONTREAL,

Incorporated, 16 V. c. 261.

INSTITUT CANADIEN DE QUEBEC,

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INSURANCE COMPANIES,

- 16 V. c. 80—1853.
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 19, 20 V. c. 89—1856.
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INSURANCE COMPANIES, (PRIVATE ACTS,)

See the several Companies by their corporate names—and Supplement.

INTEMPERANCE, *See* Taverns.

INTERDICTED PERSONS,

- 34 G. 3, c. 6—1794—101.
 Powers of courts of King's Bench, as to—(transferred to superior and circuit courts, by 12 V. c. 38, ss. 8, 74,) s. 8.
 Appeals by, allowed within one year after disability ceasing, s. 32.

INTERDICTED PERSONS,

18 V. c. 3—1854.

Must file oppositions to distribution of commutation money to preserve their privileges, s. 21.

Rentes constituées under Seigniorial Tenures Abolition Act belonging to interdicted person, how may be redeemed, s. 24. *And see Avis de Parens—Curator—Oppositions.*

INTEREST,

41 G. 3, c. 7—1801—112.

Plaintiff prosecuting sale, to be collocated for on his judgment, s. 13.

4 V. c. 30—1841—195.

Registration of arrears of, when necessary, and how made, s. 16. *But see* 7 V. c. 22, s. 10.

Hypothec for, on judgments to subsist, though amount not mentioned therein, s. 30.

7 V. c. 22—1843.

Arrears of, how and when to be registered, s. 10.

12 V. c. 22—1849.

On bill or note to run *ipso facto* from last day of grace, s. 6. Foreign bills payable or accepted in Lower Canada, to be subject to provisions of this Act, as to persons resident therein, s. 30.

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INTERLOCUTORY JUDGMENTS,

25 G. 3, c. 2—1785—85.

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INTERMENT,

16 V. c. 174—1853.

Not to take place until twenty-four hours after death, s. 3. *And see Burials.*

INTERNATIONAL MINING AND MANUFACTURING COMPANY,

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INTERPRETATION ACT,

12 V. c. 10—1849.

Act for interpretation of certain terms used in Acts of Parliament, and for avoiding repetition and ascertaining date, &c.

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Date of Royal assent to be endorsed and form part of the Act, s. 2.

Any Act may be amended the same session, s. 3.

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How certain expressions in Acts of this and future sessions

shall be construed, viz: Her Majesty—The Queen—

Crown—Governor—Governor in Council—Lower Canada—

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Words &c.—Singular Number and Masculine Gender—

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- Wilful contravention of an Act to be a misdemeanor, *ib.*
- Punishment for offences when no special provision is made, *ib.*
- Recovery and distribution of penalties, *ib.*
- Monies levied for the Crown to be part of public Revenue, *ib.*
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- Imprisonment and detention in Gaol, *ib.*
- Power to appoint a Public Officer to include power to remove, *ib.*
- Corporations, powers incident to all, *ib.*
- Rights of Crown, &c., and power to amend, to be understood to be always reserved, *ib.*
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12 V. c. 38—1849.

May be permitted by Circuit Court, s. 64.

Demande in, how made, filed and proceeded upon,—service and return of, how and when to be made, *à peine de nullité*, s. 92. *But see below.*

16 V. c. 194—1853.

Demande in, not to stay proceedings, until allowed by Court; to be made by motion or Petition before Judgment, s. 22.

After allowance, proceedings to be stayed for three days, and provisions of sec. 92 of above Act then to apply, *ib.*

INTOXICATING LIQUORS, See Taverns.**INVENTIONS, EXCLUSIVE PRIVILEGES FOR,**

12 V. c. 24—1849.

Act to consolidate and amend the laws concerning.

Who may obtain patent, and mode of proceeding, s. 1. *But see also*, 14, 15 V. c. 79, s. 13.

Effect of the patent, *ib.*

In actions for damages, the court may grant treble costs, s. 2.

Proviso as to matter of defence, *ib.*

Proviso: patent not to be void in certain cases, although discovery known in a foreign country, *ib.*

Plaintiff failing in action, court may award costs at discretion, *ib.*

Right of obtaining patent, to devolve on legal representative, in case of inventor's decease before patent granted, s. 3.

Arbitration in case of interfering applications, s. 4.

Proviso, as to patent obtained in a foreign country, *ib.*

Patent assignable in whole, or undivided parts, s. 5.

" may be issued to assignee of inventor, s. 6.

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A new patent may be obtained in certain cases, upon the surrender of defective patent, s. 7.

Provision, where specification made too broad, s. 8.

Disclaimer not to affect pending actions, *ib.*

Claims for additions to existing patents, s. 9.

Provision respecting patents returned for correction, s. 10.

Additional and correct models to be furnished, *ib.*

As to extension of patent beyond the time limited, s. 11.

Purchasers of articles afterwards patented entitled to use or vend the same, s. 12.

As to patents for works of art, s. 13. *But see 14, 15 V. c. 79, s. 3, treating all as for fourteen years without distinction*

Not to be for more than seven years, *ib.*

Declaration to be made by applicants, instead of oath, s. 14.

Penalty for counterfeiting name of patentee, s. 15.

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14, 15 V. c. 79—1851.

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Proceedings in such case, s. 1.

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What letters patent shall hereafter contain, s. 3.

As to inventions being improvements on patented inventions, s. 4.

Inventor to make declaration, and file specification, &c., s. 5.

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Patents assignable at law, s. 6.

Remedy for the infringement of any patent, s. 7.

Patent to be declared void upon trial in case of fraud, &c., s. 8.

Interfering applications, how dealt with, s. 9.

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Privileges extended to foreign inventions introduced by British residents, except from certain countries, s. 11.

Declaration to be made in such cases, s. 12.

Act cited in the preamble (12 V. c. 24.) to apply to patents under this Act, s. 13.

This Act to apply to matters subsequent to issue of patents, as regards those issued under repealed Acts. *ib.*

Words "or the principle thereof," in sect. 4 of 12 V. c. 24, repealed; *ib.*

16 V. c. 11—1852.

Minister of bureau of agriculture to receive applications for patents, and keep records thereof, s. 4.

INVENTORIES,

34 G. 3, c. 6—1794—101.

Closing of—Powers of Court of King's Bench respecting—
(transferred to Superior and Circuit Courts by 12 V. c. 38,
ss. 8, and 74,) s. 8.

J A C

JACQUES CARTIER RIVER,

Bridge over, 40 G. 3, c. 6?—35 G. 3, c. 7?

JESUITS ESTATES,

2 W. 4, c. 41—1832—147.

Moneys arising from, to be applied exclusively to purposes
of education.

9 V. c. 59—1846.

Revenues of, to be appropriated to educational purposes,
s. 1.

Application of moneys to be accounted for to Her Majesty,
s. 2.

16 V. c. 74—1853.

Special appropriation out of, for Normal schools, &c., ss.
4, 5.

18 V. c. 3—1854.

Seigniorial Tenures Abolition Acts not to apply to, s. 35.
But see Crown Seigniories.

19, 20 V. c. 54—1856.

Appropriated for purposes of Act to establish permanent
fund for promotion of superior education and normal
schools, s. 1.

And see Normal Schools.

JEWS,

9 G. 4, c. 75—1829—622.

Prothonotaries to keep registers of Jews being British sub-
jects above 21 years, s. 1.

Duly licensed ministers to keep duplicate registers of
marriages, burials and births pursuant to 35 G. 3, c. 4, s. 7.

Provisions of 35 G. 3, c. 4 extended to such registers, s. 8.

Births or deaths of children may be enregistered within 3
months after election of trustees, s. 9.

Registers so kept to be valid, and provisions of 35 G. 3, c. 4
to apply, ss. 10, 11. *And see* Registers.

1 W. 4, c. 57—1832—93.

Declared to have same rights as other British subjects.

9 V. c. 96—1846.

Portuguese, German or Polish Jews may elect trustees,
s. 1.

Trustees to have certain powers, and Rabbi appointed by
them need not be licensed, s. 2.

Mode of electing successors to trustees, s. 3.

Power to hold real property to a limited amount, s. 4.

Inconsistent enactments repealed, *ib.*

JOINT CONTRACTORS, &c.,

10, 11 V. c. 11—1847.

Not to be bound by acknowledgment or promise of co-contractor, &c., after prescription acquired, s. 2.

In actions against several, plaintiff may succeed against some though he fail against others, *ib.*

And see Prescription.

JOINT STOCK COMPANIES,

See the Companies by their corporate;—names and as to Acts for the general incorporation of companies for particular purposes, see those purposes. as Banking—Cemeteries—Gas and Water—Manufacturing—Mutual Insurance—Roads—Savings Banks—Telegraphs, &c.

JOINT TENANT, *See* Partition.

JONES, R.,

Bridge over river Richelieu, 6 G. 4, c. 29.

JOURNEYMEN, *See* Master and Servant—Apprentice.

JUDGES,

24 G. 3, c. 1—1784—118.

Penalty against, for refusing writ of *Habeas Corpus* in vacation, s. 10. *And see* 1 G. 4, c. 8—12 V. c. 37, s. 41, and c. 38, s. 98.

7 V. c. 15—1843.

Independence of, established.

Judges to hold office during good behaviour; after passing of this Act commissions so to be made out; shall continue in full force notwithstanding demise of Sovereign, s. 1.

May be removed from office by Governor on address from both houses of parliament, *ib.*

Appeal to privy council allowed within six months, *ib.*

In case of vacancy, Governor may appoint new judge, subject to approval of Her Majesty, s. 2.

Appointment, how held to be superseded, *ib.* *And see* 12 V. c. 37, s. 3, and 12 V. c. 38, s. 5.

18 V. c. 100—1855.

Disqualified from being municipal councillors, &c., s. 17. *But see* 19, 20 V. c. 101, s. 6.

18 V. c. 105—1855.

Recusation of.

Ord. of 1667, tit. 24, art. 1, restricted.

No degree of relationship more distant than cousin german to be ground of recusation.

Act to apply to pending cases, though judge *ad hoc* may have been appointed.

19, 20 V. c. 101—1856.

Word "judge," in s. 17 of 18 V. c. 100, to apply only to judges of Queen's Bench, Superior Court, Circuit Court, and Vice Admiralty, s. 6.

JUDGES OF QUEEN'S BENCH,

12 V. c. 37—1849.

Number and qualification of, s. 2.

Independence of, how secured, s. 3.

Residence of, s. 4.

To have same powers as judges of Provincial Court of Appeals before 7 V. c. 18, s. 6. See Appeals, Court of.

Who to preside, s. 7.

Any three to be quorum; majority to decide, but three necessary to reverse, while two may affirm, s. 10.

When disqualified from hearing an appeal, s. 11.

Ad hoc, s. 15. Repealed by 14, 15 V. c. 88, s. 1.

To record concurrence or dissent from judgment in appeal, s. 18.

Powers of in criminal matters, s. 25.

To be justices of the peace and coroners for all Lower Canada, s. 27.

Judges of superior court, when may act as, s. 33.

Powers of, with respect to *habeas corpus*—penalty for refusing writ in vacation, s. 41.

14, 15 V. c. 88—1851.

Section 15 of 12 V. c. 37, repealed, s. 1.

Leave of absence to, for more than two months to be notified to clerk of appeals, and how, *ib.*

Clerk of appeals to record fact of judge being unable to sit, s. 2.

Judges of superior court empowered to act as, in such case—*ib.*

Cause heard before three, when may be ordered to be reheard—provision in case fourth judge cannot sit at such rehearing, s. 3.

Délibéré may be discharged when necessary by any one judge not incompetent, s. 4.

Judges of superior court to act as, when required, s. 5.

Removal of disqualification of, not to affect powers of judge supplying his place, s. 6.

Provision in case latter judge being unable to sit, *ib.* And see Appeals—Administration of Justice—Recusation.

JUDGES OF SUPERIOR COURT,

12 V. c. 37—1849.

When may hold court of Queen's Bench, Crown side, s. 33.

12 V. c. 18—1849.

To act as commissioners of bankruptcy, s. 2.

12 V. c. 38—1849.

Number, residence of, and how appointed, s. 3.

Qualification, s. 4.

Independence of, how secured; incapacitated to sit in parliament, &c., s. 5.

General powers of, s. 8. And see section 74.

Circuit judges to act as, in certain cases, at Gaspé, s. 13.

Circuit judges at Kamouraska and Ottawa to have power of, in vacation, *ib.* But see 16 V. c. 194, ss. 14, 16, and 19, 20 V. c. 55, s. 2.

JUDGES OF SUPERIOR COURT,

Terms to be held by not more than three and not less than two; who to preside, s. 15.

Judges at Quebec to assist at Gaspé, s. 16.

At Three-Rivers or Sherbrooke, when parties, cause how to be tried, s. 22.

To preside at trials by jury, s. 33.

One of, to hold circuit court, in certain cases, s. 42.

Not to sit in superior court, on appeal from their judgments in circuit court, s. 56.

Powers of court of Queen's Bench under Lessor and Lessee's Act, vested in one, s. 95. *But see* 18 V. c. 108.

Powers respecting *habeas corpus* vested in, s. 98.

14, 15 V. c. 88—1851.

To act as judges of court of appeals, when required, s. 5.
How notified, *ib.*

16 V. c. 13—1852.

Assistant—how and when may be appointed.

16 V. c. 194—1853.

May render judgment out of term in certain cases, s. 1.

May limit and fix *enquête* days, and regulate the same, by rules of practice, s. 5.

May order proceedings in vacation, s. 10.

Judge in district other than Quebec or Montreal, may hear causes and give judgment out of term, s. 15.

Majority of who agree, having heard cause, may deliver judgment, though one present at hearing be absent, s. 32.

In all proceedings in vacation, any judge may sit and act in lieu of an absent judge, s. 33.

When difference of opinion exists between two, they may order case to be heard before them and a third judge, s. 34.

18 V. c. 98—1855.

Provision in 12 V. c. 38, s. 100, enabling judges to make tariff of fees for prothonotaries and clerks of circuit court, repealed; Governor in council to make such, s. 8.

19, 20 V. c. 55—1856.

Provision in case of absence of, in districts other than Quebec and Montreal, s. 3.

19, 20 V. c. 88—1856.

May appoint commissioners for taking affidavits in U. C., and how.

JUDGES OF CIRCUIT COURT,

12 V. c. 38—1849.

When in Gaspé, to be judges of Superior Court for certain purposes, s. 13. *And see* 16 V. c. 194, s. 16.

At Ottawa and Kamouraska, to have powers of Superior Court judges. *And see below* 16 V. c. 194, s. 14—19, 20 V. c. 55, s. 2.

To be *commissaires-enquêteurs*, s. 28.

When parties, cause to be tried before Superior Court, s. 32.

To hold Circuit Court, s. 42.

JUDGES OF CIRCUIT COURT,

To be circuit judges for Lower Canada; residence; how appointed; number (*but see* 19 V. c. 55, s. 9); district judges of Gaspé to be, s. 43.

Vacancies, how filled; to be *ex officio* justices of the peace and chairman of quarter sessions; not to act as counsel, s. 44.

Need not qualify as justices of the peace, s. 45.

Qualification of, s. 46.

Recusation or incompetency of, s. 65.

Powers of superior court judges in certain matters vested in, s. 74.

Sickness or accidental absence of, on return days provided for, s. 79. *And see below* 19, 20 V. c. 55, s. 1.

Powers respecting *habeas corpus*, vested in, s. 98.

Salary of, s. 112. *But see* 18 V. c. 89, s. 1, *fixing limit at* £650.

13, 14 V. c. 35—1850.

One may hold court of quarter sessions, s. 1.

To tax and swear witnesses as to their accounts, s. 12.

16 V. c. 194—1853.

In Ottawa and Kamouraska may act as judges of superior court in term, s. 14.

Two circuit judges in Gaspé may hold terms of superior court, s. 16.

19, 20 V. c. 55—1856.

May transmit judgment to be read by clerk in case of being unable to attend, s. 1.

In Kamouraska and Ottawa to have powers given by section 15 of 16 V. c. 194 while exercising powers of superior court judges, s. 2.

Additional one may be appointed by Governor, s. 9.

And see Administration of Justice, and the several subjects to which their powers and duties relate.

JUDGMENTS,

25 G. 3, c. 2—1785—85.

Case in which two may be given on the same day against the same party, regulated, s. 34.

4 V. c. 30—1841—195.

Affecting real property, against whom to be inoperative if not registered, s. 1.

In force on 31st Dec., 1841, within what time to be enregistered, s. 4. *But see* 7 V. c. 22, s. 12, *extending delay to* 1st Nov., 1844.

How registered by memorial, ss. 10 to 12.

What property to be hypothecated by virtue of, and for what amount, s. 30.

11 V. c. 4—1848.

Of court of King's Bench in inferior term declared executory *non obst.* 7 V. c. 16.

12 V. c. 37—1849.

In court of Queen's Bench, appeal side, to be *motivés* and concurrence or dissent of respective judges recorded, s. 18.

JUDGMENTS,

Of former court of appeals not to be avoided, s. 21.

Of former criminal court to be transferred to court of Queen's Bench, crown side, s. 38.

12 V. c. 38—1849.

Of superior court to be rendered in district in which action is brought, when verdict is rendered in another district, s. 34.

Upon verdicts in circuit court to be rendered in superior court, s. 35.

Of superior court to be *motives*, concurrence and dissent of judges to be recorded, s. 36.

Of old court of Queen's Bench not to be avoided, s. 39.

This and preceding section, respecting transmission of records, &c., to circuit court to apply to judgments referred to in 11 V. c. 4 (*See above*), s. 41.

Confession of—how to be made, s. 83.

12 V. c. 41—1849.

In suits against parties usurping public offices, &c., how may be rendered, ss. 6 to 9.

How on writ of *Mandamus*, s. 13.

14, 15 V. c. 88—1851.

Of privy council, how and when to be registered by clerk of appeals, s. 8.

14, 15 V. c. 90—1851.

Of certain other courts of L. C. declared executory.

Records, &c., of late provincial court, inferior district of St. Francis, to be transmitted to circuit court for Sherbrooke circuit, s. 1.

Executions may issue thereunder from said circuit court, *ib.*

Of extinct commissioners' courts, how to be executed, s. 2.

Powers of courts in case of resistance to sale or other incidental proceedings, the same as in case of resistance to seizure, s. 3.

Powers of court to be exercised by single judge in vacation, s. 4.

16 V. c. 194—1853.

May be rendered out of term of superior court, in certain districts, in cases heard out of term; how excepted to, s. 15.

16 V. c. 198—1853.

Proof of foreign judgments.

Exemplification of foreign judgments, properly certified to be *prima facie* evidence, s. 1.

No proof required of seal, signature or official capacity of certifying officer, s. 4.

Unless denied—when must be proved—costs by whom to be paid—what security required, s. 7.

18 V. c. 100—1855.

Against secretary-treasurer of municipality, to bear 12 per cent. interest, in certain case, s. 74, par. 2.

JUDICATURE,

6 V. c. 13—1842.

Certain Ordinances relating to repealed.
And see Administration of Justice, &c.

JURIDICAL DAYS,

12 V. c. 38—1849.

What to be considered, s. 22.

JURISDICTION OF CIVIL COURTS,

12 V. c. 37—1849.

Of court of Queen's bench, appeal side, defined, s. 5.

Of court of Queen's bench, crown side, defined, s. 24.

12 V. c. 38—1849.

Of superior court, defined, s. 18. *But see below, as to Montreal and Quebec*, 18 V. c. 104.

Of superior court, to extend over actions in which *capias* shall issue, and trial by jury, s. 32.

Of superior court, when dependent on amount, how determined, s. 32.

12 V. c. 38—1849.

Of circuit court, defined, ss. 42, 47. *But see, as to Montreal and Quebec*, 18 V. c. 104.

14; 15 V. c. 92—1851.

Circuit court, to have jurisdiction under this (Squatters') Act in matters above £50 cy., s. 7.

18 V. c. 104—1855.

Of circuit court, in Montreal and Quebec, to cease to have jurisdiction in matters above £15 cy.; all such to be transferred to superior court, s. 1.

Of circuit court, to have jurisdiction over oppositions in cases in circuit court whatever their amounts, s. 8.

Of circuit court, to have concurrent jurisdiction with superior court in matters of *certiorari*, s. 9.

7 V. c. 19—1843.

Of commissioners' courts, defined, s. 3. *And see Commissioners' Courts*—and the subjects to which the jurisdiction relates, as—Debtors—Habeas Corpus—Lessors, &c.

JURISDICTION OF JUSTICES,

14, 15 V. c. 95—1851.

To extend only over cases arising within their own districts in offences of a summary nature s. 11.

14, 15 V. c. 96—1851.

Extent of, in matters of indictable offences, s. 1.

16 V. c. 15—1852.

Of justices in remote parts to be declared by proclamation. *And see Criminal Jurisdiction.*

JURIES—JURORS—JURY TRIALS,

25 G. 3, c. 2—1785—85.

Trial by jury allowed in commercial cases and for personal wrongs, s. 9. *And see below* 9 G. 4, c. 10—also 12 V. c. 38, s. 38, restricting it to cases above £20 cy.

JURIES—JURORS—JURY TRIALS,

Nine jurors out of twelve sufficient to render a verdict, *ib.*
 Juries how to be composed, *ib.*

Where neither party desirous of, suit to proceed in ordinary course, s. 11.

Depositions of sick or absent witnesses declared legal evidence in such trials, s. 12.

Special jury when may be had, ss. 18, 19. *But see below* 10, 11 V. c. 13, ss. 32 and 40.

Challenge to be governed by laws of England, s. 20.

Who exempt from serving on, s. 23. *And see below* 10, 11 V. c. 13, s. 22, and 14, 15 V. c. 89, s. 2.

27 G. 3, c. 1—1787—94.

Qualification of jurors in criminal cases. *See below* 10, 11 V. c. 13, s. 6.

Jury how to be composed. *But see below* 14, 15 V. c. 89, s. 3, par. 7.

32 G. 3, c. 2—1792—100.

Depositions of witnesses taken by commission in same county as jury trial held, not to be given in evidence without consent, s. 3.

44 G. 3, c. 7—1804—178.

Foreman of grand jury empowered to administer necessary oaths in lieu of court.

9 G. 4, c. 10—1829—143.

25 G. 3, c. 2 recited—jury trial extended to cases of wrongs to moveable property, s. 1.

7 V. c. 17—1843.

Grand and petit jurors not to be summoned in Gaspé unless criminal business before the court, s. 18. *And see below* 16 V. c. 197, s. 4.

10, 11 V. c. 13—1847.

All males, between the age of 21 and 60, and duly qualified, (except those specially exempted,) to be liable to serve as jurors, s. 1.

Sheriffs to make list of grand jurors and petit jurors, s. 2.

Mode of making and depositing lists, and order of summoning jurors, s. 3.

Qualification of grand jurors, s. 4.

Who to be deemed proprietors in district of Gaspé, for purposes of this act, s. 5.

Who to be included in lists of petit jurors, and of jurors in civil matters, s. 6.

Proprietors of between £15 and £25 annual value, to be indicated, *ib.*

Section 7 is repealed by 14, 15 V. c. 89, s. 1.

Section 18 is repealed by 16 V. c. 197, s. 1.

Sheriffs in making lists, may require the assistance of certain municipal officers, &c., s. 9.

Penalty on such persons for refusing assistance, s. 10.

Duplicate lists to be made; where to be deposited; all persons to have free access to them during certain hours, s. 11.

Mode of making up lists for the several courts, s. 12.

JURIES—JURORS—JURY TRIALS,

Lists to be entered in registers, and not to be afterwards altered except as hereinafter provided, s. 13.

Lists to be renewed in July of every second year, s. 14.

But see below 16 V. c. 197, s. 3, as to districts of Montreal and Quebec.

Lists—new, how to be made, s. 15.

Lists may be corrected by the courts on proof of error, s. 16.

Circuit judge may hear complaints by any person within the circuit; his duty, if complaint relates to a list for any other court, s. 17.

This Act not to interfere with right of challenge, s. 18.

Grand and petit jurors in what order to be summoned, s. 19.

Manner of calling and swearing petit jurors, *ib.*

Number to be summoned, *ib.* *But see below 14, 15 V. c. 89, s. 1; repealing part fixing number of Petit Jurors to be summoned at Quarter Sessions.*

Delay between summoning of jurors and the time when they are to attend—*altered as to civil matters by 14, 15 V. c. 89, s. 4, par. 6, s. 20.*

Crown not to challenge except for cause and on proof, s. 21.

Peremptory challenge of prisoner in cases of felony limited to 20, *ib.*

Certain persons exempted from serving on juries, s. 22. *And see above 25 G. 3, c. 2, s. 23, and below 14, 15 V. c. 89, s. 2.*

Aliens may serve only on a jury *de medietate lingue*, s. 23.

Persons convicted of treason or felony, or condemned to any infamous punishment, not to be jurors, s. 24.

Mode of striking jury in civil cases; order of calling and swearing, s. 25.

Lists to be made by sheriff, for court of Queen's Bench in inferior term and circuit court; to be kept among the records of such courts respectively, s. 35. *But see as to these courts 12 V. c. 38, ss. 40 to 42.*

Clerks of circuit courts to make lists for circuits beyond the distances within which sheriffs are required to make them, s. 27.

Prothonotaries and clerks to summon jurors for Queen's Bench in inferior term and circuit courts respectively, *ib.*

Court of Queen's Bench in inferior term and circuit courts may order trial by jury when the same ought, by law, to be allowed, s. 28. *But see 12 V. c. 38, s. 35.*

Trials may be had in vacation as well for cases in inferior term as in superior term, s. 29.

Day of trial to be fixed in term, *ib.*

Mode of proceeding for striking and summoning jury, &c., *ib.*

In trial by jury, circuit court clerk to perform same duties as prothonotary, s. 30.

Jurors to be summoned by bailiff, *ib.*

Trial may be had in term or vacation, *ib.*

Fees to be taken by crier and tipstaff, s. 31. *But see 13, 14 V. c. 37, and 18 V. c. 98.*

Special jury—when may be demanded, s. 32. *But see below 14, 15 V. c. 89, s. 4, par 2.*

JURIES—JURORS—JURY TRIALS,

Sheriff to make lists of special jurors, and how, s. 33. *But see below* 14, 15 V. c. 89, s. 4, par. 5.

If capacity of either party to a suit, be put in issue, this to be determined first by the court, before submitting issues of fact to the jury, s. 34.

One half of jury to be merchants or traders, when so required in commercial cases, s. 35.

Manner of striking and summoning jurors in such cases, *ib.*

Jury to be wholly composed of merchants and traders when parties consent, s. 36. *But see below* 14, 15 V. c. 89, s. 4, par. 8.

Names to be taken in order in which they stand, *ib.*

Provision if there be not a sufficient number of merchants and traders on list, s. 37.

How number of jurors may be completed by consent, when there is a deficiency, s. 38.

Part of section 15 of 25 G. 3, c. 2, repealed, s. 39.

Sections 16, 17, 18, 19 and 21 of same ordinance, repealed except so much as determines in what cases and on what condition trial by special jury may be had, s. 40.

Proviso: In civil cases jury may be summoned by consent from parish of Montreal or Quebec alone, *ib.*

Section 20 of said ordinance, repealed, as far as relates to allowance for jurors, s. 41.

Jurors in civil matters to receive 5s cy., *ib.* *And see below* 14, 15 V. c. 89, s. 4, par. 12.

Penalties on sheriff offending against this act, s. 42.

Penalty on jurors not attending when summoned, how levied, s. 43.

Court may reduce penalty or imprisonment on good cause shewn, *ib.*

Penalty on persons refusing information for making Lists, how recovered, s. 44.

Penalties to be sued for within six months, how to be recovered when no special mode provided by Act, s. 45.

Costs given, *ib.*

Sheriff entitled to costs in vexatious suits against him, *ib.*

Penalties how applied, s. 46.

Public monies expended under this Act how accounted for, s. 47.

Laws not inconsistent with this Act to remain in force, s. 48.

11 V. c. 2—1848.

This Act was passed to remove doubts as to the time at which certain provisions of the above Act were to come into force, and has no further effect now.

12 V. c. 38—1849.

Trials by Jury may be had in Superior Court, s. 32.

Declaration of choice of trial made by one, to be binding on both parties, *ib.*

Trials by Jury, may be had in vacation, s. 33.

Trials by Jury, may be ordered in any District; Record in such cases to be transmitted and returned with verdict, s. 34.

JURIES—JURORS—JURY TRIALS,

Trials by Jury, may be had in Circuit Court by order of Superior Court, verdict to be returned to Superior Court, s. 35.

Trials by Jury, only to be had in cases exceeding £20 cy., s. 88.

14, 15 V. c. 89—1851.

Sec. 7 of 10, 11 V. c. 13, and part of sec. 19, repealed, s. 1. Additional exemptions from service as Jurors, s. 2.

JURIES IN CRIMINAL CASES.

Distance from which Petit Jurors may be summoned, limited to 10 leagues s. 3, par. 1.

Number of petit jurors to be summoned at general and quarter sessions, *ib.*, par. 2.

One half of grand and petit jurors for Québec and Montreal to speak English and one half French, *ib.*, par. 3.

Second set of petit jurors to be summoned in districts of Montreal and Québec; time of their attendance, *ib.*, par. 4.

Sheriff not bound to return special panel of petit jurors except in cases hereinafter provided for, *ib.*, par. 5.

Trial jury to be composed of first 12 persons called who appear and are not lawfully challenged, except in certain cases, *ib.*, par. 6.

Part of ordinance 27 G. 3, c. 1, providing for defect of panel by a *tales*; repealed, *ib.*, par. 7.

Other provision substituted, *ib.*, par. 8, 9.

JURY TRIALS IN CIVIL SUITS.

Powers of judge of superior court in weekly sittings, s. 4, par. 1.

No motion in arrest of judgment, for new trial or to set aside verdict to be heard by less than 3 judges, *ib.* But see 16 V. c. 194, s. 1, *abolishing weekly sittings in superior court*.

Juries to be composed only of special jurors, *ib.*, par. 2.

Facts to be defined by court or two judges thereof, and jury to return special verdict, *ib.*, par. 3.

Distance from which special jurors may be summoned, *ib.*, par. 4.

Special jurors—who shall be, in other districts than Montreal and Québec, *ib.*, par. 5.

Part of section 20 of 10, 11 V. c. 13 repealed; delay for summoning jurors in civil matters to be 4 days, *ib.*, par. 6.

When jury to be exclusively English or French; when half and half; mode of striking in latter case, *ib.*, par. 7.

When jury to be composed exclusively of merchants and traders; when half and half; mode of striking in latter case, *ib.*, par. 8.

No bill of exceptions to be filed; notes to be taken of evidence and of all exceptions and objections, *ib.*, par. 9.

To be read during or after trial at request of either party, *ib.*

Fair copy of notes to be made by prothonotary or clerk, and certified by judge, and filed of record, par. 10.

To supply place of Bill of Exceptions in case of appeal, *ib.*

Translator to be appointed when necessary, par. 11.

His allowance to form part of costs of trial, *ib.*

JURIES—JURORS—JURY TRIALS,

JURY TRIALS IN CIVIL SUITS.

Allowance to jurors, by whom and when to be paid; in default of payment, jury to be discharged without verdict—how to be recovered in such case, par. 12.

JURY LISTS AND SUMMONING OF JURORS IN DISTRICTS OF
KAMOURASKA AND OTTAWA.

Sheriff to make lists in duplicate; 1—Of all persons qualified to serve as grand jurors; 2—Petit jurors; 3—Grand jurors, at general quarter sessions of the peace; 4—Petit jurors, at general quarter sessions of the peace; 5—Special jurors, s. 5.

Sheriff to make lists within three months from his appointment; to renew them every second year, *ib.* par. 2.

Lists how to be made, &c., one duplicate of each to be deposited in sheriff's office, *ib.*

Other duplicates where to be deposited, *ib.* pars. 3, to 5.

10, 11 V. c. 13, and this act to apply to new districts as fully as if the same had been in existence where said acts were passed, s. 6.

All inconsistent laws, repealed, s. 7.

IN OTHER DISTRICTS.

16 V. c. 197—1853.

Section 8 of 10, 11 V. c. 13, repealed, s. 1.

Petit jurors—who to be included in lists of, for districts of Quebec, Montreal, Three-Rivers and St. Francis, s. 2.

Sheriff of district of Quebec and Montreal not required to complete renewal of lists before 15th August, in every second year, s. 3.

Provision of 7 V. c. 17, relating to summoning of grand and petit jurors in Gaspé, not affected by 10, 11 V. c. 13, s. 4.

18 V. c. 98—1855.

Payment of petit jurors.

Five shillings a day allowed to petit jurors in L. C., except when residing where court is held, s. 1.

Sums not exceeding £5,000 to be advanced to sheriff out of consolidated fund for that purpose, s. 2.

A sum equal to that paid by the Province under this Act, to be appropriated for municipal purposes in Upper Canada, s. 3. *And see* St. Francis.

JUSTICES OF THE PEACE,

QUALIFICATION AND APPOINTMENT.

2 V. c. 2—1839—163.

Inspectors and superintendents of police in Montreal and Quebec to be, without property qualification, s. 1. *But see* 6 V. c. 3.

6 V. c. 3—1842.

To be the most sufficient persons in the places for which they are appointed, s. 1.

No attorney, solicitor or proctor to be a justice of the peace while in practice, s. 2.

JUSTICES OF THE PEACE,

QUALIFICATION AND APPOINTMENT.

Every justice to be possessed of real property to his own use to the value of £300 over and above incumbrances, and to qualify upon oath before some justice for the *district*, s. 3. *But see* 9 V. c. 41, &c., *below*.

Form of the oath, *ib*.

Certificate of oath taken to be deposited with clerk of the peace, *ib*.

Attested copy of such oath to be furnished by clerk of the peace to any person on payment of 1s.; such copy to be evidence on any trial under this Act, s. 4.

Penalty £25 for acting without taking the oath or without being qualified, s. 5. *But see* 19 & 20 V. c. 26 *below*.

Notice, &c., in action wherein defendant shall pretend to qualification not specified in the oath, s. 6.

Upon the trial of any issue, lands not mentioned in the oath or notice not to be insisted upon by defendant, s. 7.

Provision where lands mentioned in qualification oath are chargeable jointly with other lands, s. 8.

Where rent constitutes qualification, s. 9.

Defendant entitled to treble costs if judgment against plaintiff, or in case of discontinuance, s. 10.

When action brought and upon notice given, any subsequent action for offence prior to notice, to be stayed, if first suit be prosecuted with effect, &c., s. 11.

Manner of proceeding in actions under this Act, s. 12.

False statements to be perjury, s. 13.

Limitation of actions to six calendar months, s. 14.

Act not to extend to members of the legislative council, executive council, judges, &c., attorney or solicitor general or Queen's counsel, s. 15.

Sheriffs and coroners disqualified as justices, s. 16.

Application of fines and penalties, s. 17.

7 V. c. 19—1843.

Disqualified from being clerks of commissioners' courts, s. 29.

9 V. c. 41—1846.

The Governor in council may appoint justices of the peace for remote parts, not being within any constituted district, s. 1.

Such justices need not be qualified as to property, nor reside within the limits of their jurisdiction, *ib*.

Subject to all other requirements of law, s. 2.

Commitments by, to be to the nearest common gaol, s. 3.

Appeals (when allowed) to be to the quarter sessions nearest to the place, s. 4.

12 V. c. 37—1849.

Judges of court of Q. B. to be, for all L. C., s. 27.

12 V. c. 38—1849.

To be under the superintendence of superior court, s. 7.

Resident in new districts to be justices for such districts only, s. 12.

JUSTICES OF THE PEACE,

QUALIFICATION AND APPOINTMENT.

Circuit judges to be, *ex officio*, s. 44.

And need not qualify as such, s. 45.

12 V. c. 50—1849.

No schoolmaster under common school Acts to be, s. 7.

14, 15 V. c. 97—1851.

Inspectors of schools to be, *ex officio*, and 6 V. c. 3, not to apply, s. 6.

16 V. c. 15—1852.

Appointment of, in remote parts.

Governor in council may name justices for remote parts of L. C., either within or without limits of present districts, s. 1.

Jurisdiction to be declared by proclamation.

Provisions of 9 V. c. 41, to apply to such justices; also to commanders of H. M. vessels, and persons authorized to act as justices in the Gulf and River St. Lawrence.

18 V. c. 100—1855.

Chief officer of each municipality to be, *ex-officio* within limits of municipality, s. 12, par. 11.

19, 20 V. c. 26—1856.

No new oath of qualification to be received from in certain cases, s. 1.

Act to have retroactive effect—Exception, s. 2.

ATTENDANCE OF WITNESSES BEFORE.

9 V. c. 5—1846.

Justice may issue warrant to bring before him persons summoned as witnesses and neglecting to appear, s. 1.

May commit to gaol for not more than 10 days, witnesses refusing to be examined; *ib.* And see 14, 15 V. c. 95, s. 6.

DUTIES WITH REGARD TO SUMMARY CONVICTIONS AND ORDERS.

14, 15 V. c. 95—1851.

Justice may issue summons on information or complaint laid before him, s. 1.

Form of summons; how to be served, *ib.*

No summons to be issued where application for order may, by law, be made *ex-parte*, *ib.*

No objection to be made for insufficiency or want of form of information or summons, or for variance with evidence, *ib.*

Hearing may be adjourned in case of variance, at discretion of justice, if defendant misled thereby, *ib.* But see below 18 V. c. 97.

If party summoned do not appear, justice on proof of service may issue warrant, s. 2.

Or in case of offence punishable on conviction, may issue warrant in first instance, *ib.* And see s. 6.

Or on proof of service, may proceed *ex-parte*, *ib.*

Form of warrant, s. 3.

When and where to be executed, *ib.*

Backing warrants taken into another district, *ib.*

JUSTICES OF THE PEACE,

DUTIES WITH REGARD TO SUMMARY CONVICTIONS AND ORDERS.

No objection allowed for want of form, or variance with evidence of warrant—justice may in his discretion adjourn hearing and commit party or discharge him on recognizance, *ib.* *And see below 18 V. c. 97.*

In case of default to appear, recognizance may be transmitted to clerk of the peace with certificate of justice endorsed, *ib.*

What sufficient description of property of partners, &c., of works or buildings made or repaired by a district, county, &c, s. 4.

Persons aiding and abetting in the commission of offences, how prosecuted and punished, s. 5.

Power to summon witnesses, s. 6.

If summons not obeyed, may issue warrant on proof of service; warrant may be executed out of district on being backed, *ib.*

Warrant may be issued in first instance in certain cases, *ib.*

Witnesses refusing to be examined, may be committed for not more than 10 days, *ib.*

Complaint for an order need not be in writing unless specially ordered by act, s. 7.

Variance as to time and place of commission of offence, between information and evidence, what material, s. 8.

Hearing may be adjourned if party misled, *ib.*

Party in such case may be committed or discharged on recognizance, *ib.* *And see below 18 V. c. 97.*

If he make default, recognizance to be transmitted to clerk of the peace with certificate endorsed, *ib.*

Complaint or information need not be sworn to, except when warrant issued, s. 9.

By whom may be sworn to, *ib.*

To contain one matter of offence only, *ib.*

By whom may be made, *ib.*

To be laid within 6 calendar months, unless otherwise provided for by Act, s. 10.

Complaints may be heard before one Justice except in case otherwise specially provided for, s. 11.

Justice to have jurisdiction only over cases arising within his own district, *ib.*

Place of hearing to be open to the public, *ib.*

Parties may retain counsel, *ib.*

If on day named, Defendant do not appear, Justice may proceed *ex parte* or issue warrant, s. 12.

Proceedings after arrest, *ib.*

If complainant do not appear, justice may dismiss complaint, but may adjourn if he see fit, *ib.*

In case of adjournment, defendant may be committed or discharged on Recognizance, *ib.*

In case of default to appear afterwards, Recognizance to be transmitted to Clerk of the Peace, with certificate endorsed, *ib.*

If both parties appear, justice to hear and determine the case, *ib.*

Mode of proceeding on hearing, s. 13.

JUSTICES OF THE PEACE,

DUTIES WITH REGARD TO SUMMARY CONVICTIONS AND ORDERS.

- Minute to be made of conviction or order, *ib.*
 Conviction or order how drawn up and where deposited, *ib.*
 In case of dismissal defendant entitled to certificate thereof, which shall be a bar to any subsequent information, *ib.*
 In certain cases burden of proof to fall on defendant, *ib.*
 Witnesses, who shall be competent, s. 14.
 Justices empowered to administer oaths, *ib.*
 May adjourn hearing at discretion, s. 15.
 May in such case allow defendant to go at large, commit him, or discharge him on Recognizance, *ib.*
 Proceedings in case of non-appearance of either party on day fixed for hearing, *ib.*
 Form of convictions and orders, s. 16. *And see* 4 G. c. 19, s. 8.
 Defendant to be served with copy of order before warrant of commitment or distress is executed against him, *ib.*
 Justice may award costs; to be specified in conviction or order, or order of dismissal, s. 17.
 How recoverable, *ib.*
 Warrant of distress, when and by whom may be issued, s. 18.
 Warrant of distress, form of; how executed in another district, *ib.*
 Justice may commit defendant in certain cases instead of issuing warrant, *ib.*
 Justice may, in his discretion, detain defendant in custody until return of warrant, unless he give security, s. 19.
 In case of non-appearance, recognizance how transmitted, *ib.*
 If goods and chattels insufficient, justice may issue warrant of commitment, s. 20.
 Form of warrant, *ib.*
 Duty of justice, if at time of conviction, defendant be undergoing imprisonment for another offence, s. 21.
 If information or complaint be dismissed and costs awarded against prosecutor, the same may be levied by distress, s. 22.
 If distress insufficient, party may be committed for not more than one calendar month, unless all costs and expenses be sooner paid, *ib.*
 Amount of costs and expenses to be stated in commitment, *ib.*
 Justice to have same right of issuing warrant of distress or commitment after appeal from conviction or order (if decided against appellant,) as before, s. 23.
 Costs of appeal, how to be paid; in default, how to be levied, *ib.*
 Commitment, if distress insufficient, *ib.*
 Constable not to execute warrant of distress after payment or tender of amount named therein and costs, s. 24.
 Keeper to discharge prisoner from gaol, on payment of amount named in warrant of commitment, *ib.*
 One justice may issue summons or warrant, &c., before hearing; same justice need not be present at hearing, s. 25.

JUSTICES OF THE PEACE,

DUTIES WITH REGARD TO SUMMARY CONVICTIONS AND ORDERS.

Any one justice also, after hearing, may issue warrant of distress or commitment, *ib.*

Proviso when statute requires case to be heard and determined by two or more justices, such justices to be present throughout the hearing and determination, *ib.*

Fees of clerks of the peace; special sessions and weekly sessions and clerks of justices out of sessions, s. 26.

Table of fees to be made, *ib.*

Penalty for taking greater fees than allowed by table, *ib.*

Constables, to whom to pay over moneys by them levied or received, s. 27.

Gaolers, &c., to whom to make payment, *ib.*

Clerks to pay to parties entitled to receive the same, *ib.*

How if no one legally entitled, *ib.*

Clerks to keep accounts and render them every three months to clerk of the peace, *ib.*

Clerk of the peace to account to quarter and weekly sessions, *ib.*

Forms in schedules to Act to be sufficient in law, s. 28.

Inspector and superintendent of police, police or stipendiary magistrate may act alone under this Act, s. 29.

Forms to be varied accordingly, *ib.*

Justices to have same powers as courts of law for preserving order, s. 30.

And for enforcing execution of process, s. 31.

Clerk of the peace to act as clerk of special and weekly sessions in all places where quarter sessions are held, s. 32.

Inconsistent enactments repealed, s. 33.

Act to apply to L. C. only, except where expressly extended to U. C., s. 34.

To be in force from 1st January, 1852, s. 35.

Schedules of forms of, viz :

Summons to defendant upon an information or complaint—

Warrant when summons is disobeyed—Warrant in the first instance—Warrant of committal for safe custody during an adjournment of the hearing—Recognizance for the appearance of the defendant when the case is adjourned and not at once proceeded with—Certificate of non-appearance to be endorsed on the defendant's recognizance—Summons of a witness—Warrant where a witness has not obeyed a summons—Warrant for a witness in the first instance—Commitment of a witness for refusing to be sworn or to give evidence—Warrant to remand a defendant when apprehended—Conviction for a penalty to be levied by distress, and in default of sufficient distress, imprisonment—Conviction for a penalty, and in default of penalty, imprisonment—Conviction when the punishment is by imprisonment, &c.—Orders for payment of moneys to be levied by distress, and in default of distress, imprisonment—Order for payment of money, and in default of payment, imprisonment—Order for any other matter where the disobeying of it is punishable with imprisonment—

JUSTICES OF THE PEACE,

DUTIES WITH REGARD TO SUMMARY CONVICTIONS AND ORDERS.

Order of dismissal of an information or complaint—Certificate of dismissal—Warrant of distress upon a conviction for a penalty—Warrant of distress upon an order for the payment of money—Endorsement in backing a warrant of distress—Constable's return to a warrant of distress—Warrant of commitment for want of distress—Warrant of commitment upon a conviction for a penalty in the first instance—Warrant of commitment on an order in the first instance—Warrant of distress for costs upon an order for dismissal of an information or complaint—Warrant of commitment for want of distress in the last case—Certificate of clerk of the peace, that the costs of an appeal are not paid—Warrant of distress for costs of an appeal against a conviction or order—Warrant of commitment for want of distress in the last case.

18 V. c. 97—1855.

In appeals from conviction, &c., under above act, no judgment to be given in favor of appellant for insufficiency or want of form in information, complaint, summons or warrant, or for variance with evidence, unless party misled by variance, and justice refused to adjourn.

Costs in appeal and *certiorari* to be in discretion of Court, s. 2.

To apply to Lower Canada only, s. 3.

DUTIES WITH REGARD TO INDICTABLE OFFENCES.

35 G. 3, c. 1—1795—110.

When and how may commit offenders; to return depositions into office of clerk of court which has cognizance of crime, together with recognizances; to require recognizances on pain of imprisonment, s. 4.

14, 15 V. c. 96—1851.

Justice may, on complaint, issue warrant to apprehend persons charged with treason, felony, or other indictable offence, s. 1.

Extent of jurisdiction, *ib.*

May issue summons in first instance, *ib.*

If party fail to appear, may issue warrant, *ib.*

May at any time, before or after time mentioned in summons, issue warrant, *ib.*

Indictment found by grand jury, s. 2.

On certificate thereof being produced, justice to issue warrant for apprehension of party accused, *ib.*

May commit for trial or admit to bail on proof of person apprehended being person named in indictment, *ib.*

If person indicted be already in prison for another offence, justice may issue warrant to gaoler to detain him there for trial, *ib.*

Nothing herein contained to prevent issuing of Bench warrant, *ib.*

Justice may issue warrant on Sunday, s. 3.

JUSTICES OF THE PEACE,

DUTIES WITH REGARD TO INDICTABLE OFFENCES.

Warrant to issue only on information or complaint in writing under oath or affirmation, s. 4.

Summons may issue on mere verbal complaint not under oath, *ib.*

No objection to be allowed for alleged defect in substance or form of information or complaint, or for variance with evidence, *ib.*

Justice may grant search warrant on oath of one credible witness, *ib.*

Form of summons—by whom to be served, s. 5.

Constable who has made service to attend and depose as to the same; *ib.*

Party making default, justice may issue warrant, *ib.*

No objection to be allowed for defect in substance or form of summons, or warrant, or variance with evidence, *ib.*

If party misled thereby, hearing may be adjourned, *ib.*

Party in such case to be remanded or admitted to bail, *ib.*

Warrant,—form of, how and by whom to be executed, s. 6.

No objection to be allowed for defect in substance, &c., *ib.*

If party misled, hearing may be adjourned, &c., *ib.*

Warrant may be executed out of jurisdiction of justice issuing the same on being backed, s. 7.

Proof required in such case, *ib.*

Form of backing warrants, and effect thereof, *ib.*

In what case party apprehended may be taken before Justice backing warrant or other justice in same district; mode of proceeding in such case, *ib.*

How and in what case Justice may compel persons to attend and give evidence, s. 8.

If witness refuse to be examined he may be committed for not more than 10 days, *ib.*

Before committing for trial or admitting to bail, Justice to take depositions under oath of persons acquainted with facts, in presence of party accused, s. 9.

Party accused may put questions to witnesses, *ib.*

Depositions to be read over and signed by witnesses and Justice, *ib.*

Justice to administer oath or affirmation to witnesses before examining, *ib.* *But see* 33 G. 3, c. 4, s. 5, *forbidding Quakers to give evidence in Criminal cases.*

Deposition of witness taken before justice, when may be read at trial, *ib.*

After examination of witnesses, Justice to read over depositions to party accused and ask him if he has any thing to say in answer to charge, s. 10.

To caution him against committing himself, *ib.*

Statement of prisoner to be taken down in writing and signed by Justice, *ib.*

May be given in evidence at trial without further proof, *ib.*

Nothing herein contained to prevent other admissions of prisoner from being given in evidence, *ib.*

Justice may sit with closed doors during examination, s. 11.

JUSTICES OF THE PEACE,

DUTIES WITH REGARD TO INDICTABLE OFFENCES.

- Justice may bind over prosecutor and witnesses to prosecute and give evidence—Form of Recognizance, s. 12.
- Recognizances and depositions, &c., to be transmitted to Court, where trial to be had, *ib.*
- Witnesses refusing to enter into recognizances may be committed, *ib.*
- Party accused may be discharged if evidence insufficient to cause him to be committed or held to bail, *ib.*
- Examination of witnesses may be deferred or continued for reasonable cause, s. 13.
- Party accused in such case may be remanded for a certain time; may be brought up again before time expired, *ib.*
- May be discharged on recognizance instead of being kept in custody, *ib.*
- In case of non-appearance, recognizance to be transmitted to clerk of the peace with certificate thereon, *ib.*
- Mode of proceeding in case of party arrested for offence committed in another district, s. 14.
- May be committed or admitted to bail if evidence sufficient, *ib.*
- Prosecutor and witnesses to be bound over, *ib.*
- If evidence insufficient, accused to be sent before justice of district where offence committed; also the information, depositions, &c., *ib.*
- If party committed or admitted to bail, all documents to be transmitted by last mentioned justice to clerk of the court, *ib.*
- Constable conveying accused into other district, to be paid his expenses by sheriff on producing certificate; form of certificate, *ib.*
- In cases of felony two justices may admit to bail, s. 15.
- Form of recognizance, *ib.*
- In cases of misdemeanor, one justice may admit to bail, *ib.*
- Bail for treason to be allowed only by court of Queen's Bench, *ib.*
- Party admitted to bail after commitment to be released by warrant of deliverance, s. 16.
- Form of warrant, *ib.*
- Party accused to be discharged forthwith, if evidence not sufficient; if otherwise, to be committed or admitted to bail, s. 17.
- To what place to be committed, *ib.*
- Form of warrant of commitment, *ib.*
- Regulations for conveying prisoner to gaol; payment of expenses, s. 18.
- Party committed or bailed to receive copies of depositions or payment of a certain charge, s. 19.
- Forms in schedules to Act, to be sufficient in law, s. 20.
- Inspector and superintendent of police; police or stipendiary magistrate may act alone under this act, s. 21.
- Inconsistent enactments repealed, s. 22.
- Act to apply only to Lower Canada, except when expressly extended to Upper Canada, s. 23.

JUSTICES OF THE PEACE.

DUTIES WITH REGARD TO INDICTABLE OFFENCES.

Act in force from 1st January, 1852; s. 24.

Schedules of forms of—Information—Warrant to apprehend—Summons—Warrant if summons is disobeyed—Information for search warrant—Search warrant—Certificate of indictment found—Warrant against party indicted—Commitment of the same—Warrant to detain the same—Backing to warrant—Summons to witness—Warrant if witnesses refuse to attend—Warrant in first instance—Of commitment for refusing to be sworn, &c.—Depositions—Statement of accused—Recognizances to prosecute or give evidence—Commitment for refusal to enter into—Order to discharge witness—Warrant remanding a prisoner—Recognizance of bail instead of remand,—Notice of recognizance—Warrant to convey to another district—Receipt to constable to be given in such other district—Recognizance of bail—Warrant of deliverance on bail given—Warrant of commitment—Gaoler's receipt for prisoner, and justice's order for payment of constable's expenses.

RETURNS TO BE MADE BY JUSTICES.

4 G. 4, c. 19—1824—183.

Justices to keep registers of convictions, s. 1.

Where two or more, senior justice to keep them, s. 2. *But see below* 2 V. (3.) c. 20.

Registers—what to be specified in, s. 3.

Fines—how to be paid over, s. 4.

Statement what to contain, *ib.* *But see* 2 V. c. 20.

Duty of clerks of the peace, *ib.*

Clerks of the peace—duty of, on receipt of fines, s. 5.

Convictions—form of—when no particular form directed, s. 6. *But see* 4, 5 V. c. 26, s. 37—14, 15 V. c. 95, s. 16.

When two or more justices required to hear complaint, one may receive original information, s. 7.

Form of conviction to be conformable to fact, *ib.* *And see above* 14, 15 V. c. 95, s. 25.

Convictions in certain cases not to be set aside for defect of form, s. 8. *But see* 4, 5 V. c. 26, s. 37. *See also* Conviction.

2 V. (3) c. 20—1839.

Justices to make quarterly returns of all prosecutions before them elsewhere than at Court House, s. 1.

Returns to whom sent and what to contain, *ib.*

Clerks of the Peace to report Justices not complying with this Ordinance and when, s. 2.

FEES TO PERSONS EMPLOYED BY.

6 W. 4, c. 19—1836—181.

Clerks, what fees allowed to, proviso, s. 1.

Bailiffs and Constables, what fees allowed to, proviso, s. 2.

Penalty for contravention how recovered and applied, s. 3.

Constables may be appointed by Justices, s. 4.

Clerks, &c., not to represent either party. Penalty,—s. 5.

JUSTICES OF THE PEACE,

FEES TO PERSONS EMPLOYED BY.

Bailiffs of King's Bench to execute all orders of justices,
s. 6.

Above fees not to affect special fees allowed by other acts,
s. 7. *But see above*, 14, 15 V. c. 95, s. 26.

PROTECTION OF,

14, 15 V. c. 54.—1851.

Certain privileges conferred on magistrates, public officers,
&c., by acts now in force, repealed, s. 1.

One month's notice of action to be given to justices, &c.,
s. 2.

Notice to state cause of action ; by whom may be given and
how served, *ib.*

Justice, &c., may tender amends within one month after
service of notice, s. 3.

If not accepted may plead such tender with other pleas in
bar of action, *ib.*

Effect of tender if declared sufficient ; if insufficient or if
no tender be made, *ib.*

Action where to be brought, s. 4.

Justice, &c., may change *venue* ; how and in what cases, *ib.*

General issue may be pleaded and special matter given in
evidence, s. 5.

Justice, &c., may pay money into court without requiring
leave therefor, s. 6.

Such payment to be specially pleaded ; effect thereof and
proceedings thereon, *ib.*

Costs—defendant what to recover if successful, s. 7.

Limitation of actions, s. 8.

Protection conferred by this Act to extend only to justices
and other public officers, s. 9.

In what cases they shall be entitled to such protection, *ib.*

*See also the several subjects to which the powers and duties of
Justices relate as—Agriculture—Criminal Law—Masters
and Servants—Municipalities—Police—Seamen—Taverns,
&c.*

JUSTICE, ADMINISTRATION OF,

See Administration of Justice.

K A M

KAMOURASKA,

12 V. c. 37—1849.

Term of Court of Queen's Bench, Crown side, when to be
held in District of, s. 31.

12 V. c. 38—1849.

New district of, how and when to be formed, s. 10.

Circuit Judges at, to have power of Judges of Superior
Court in vacation, s. 13. *But see* 16 V. c. 194, s. 14, giv-
ing the same power in term ; and 19, 20 V. c. 55, s. 2,
extending the powers given to Judges of Superior Court
by s. 15, of 16 V. c. 194, to Circuit Judges while exercis-
ing powers of Superior Court Judges in Kamouraska.

KAMOURASKA,

Jury lists and summoning of Jurors in districts of Kamouraska, Ottawa, &c., *ib.* See also Juries.

14, 15 V. c. 107—1851.

Preservation of Game in, and regulation of seasons, and mode of shooting, &c. See Game.

KAMOURASKA AND AYLMEY,

Monies arising from Tavern Licenses in the Counties forming Districts of Kamouraska and Ottawa appropriated for costs of New Gaol at, 14, 15 V. c. 63.

KAMOURASKA, OTTAWA AND ST. FRANCIS,

Holding of Sessions of the Peace, regulated, 16 V. c. 201.

KIDNAPPING, See Abduction—Child stealing.**KILLAM, H.,**

Naturalized, 19, 20 V. c. 40.

KING'S BENCH, COURTS OF,

34 G. 3, c. 6—1794—101.

Established in districts of Quebec, Montreal and Three-Rivers; their constitution and jurisdiction, s. 2.

Powers of courts and judges, s. 8. *But see* 12 V. c. 37, s. 25—and 12 V. c. 38, ss. 2, 8, and c. 40, *whereby their powers are transferred to the present courts of Queen's Bench and Superior Court.* See also Administration of Justice.

11 V. c. 4—1848.

Certain judgments of, declared executory *non obs.* 7 V. c. 16.

12 V. c. 38—1849.

Provisions of sections 40 and 41 to extend to judgments referred to in 11 V. c. 4.

KINGSEY SLATE WORKS COMPANY,

Incorporated, 18 V. c. 52.

L A B

LA BAIE DU FEBVRE, COMMON OF,

For regulating, 2 G. 4, c. 10—4 G. 4, c. 26.

Act of Lower Canada continued, &c. 16 V. c. 61 and 150.

LABOURER, See Master and Servant.**LABRADOR FISHERIES AND IN GULF**

16 V. c. 92.

LACHAPPELLE, PASCAL PERSILLIER, DIT,

Bridge over River des Prairies, 10, 11 V. c. 98.

LACHAPPELLE AND QUENNEVILLE,

Bridge over River des Prairies, 4 W. 4, c. 30.

LACHUTE COLLEGE,

Incorporated, 19, 20 V. c. 132.

LADIES BENEVOLENT SOCIETY OF MONTREAL,

Incorporated, 4, 5 V. c. 66.

LADIES' COMMITTEE OF MANAGEMENT,

Of Montreal Lying-in Hospital, 7 V. c. 53.

LADIES OF THE R. C. ORPHAN ASYLUM OF MONTREAL

Incorporated, 4, 5 V. c. 62.

LADIES OF THE PROTESTANT ORPHAN ASYLUM OF MONTREAL,

Incorporated, 7 V. c. 52.

LAGAUCHETIÈRE, SEIGNIORY OF,

18 V. c. 3—1854.

Not to be affected by provisions of Seigniorial Tenures' Abolition Acts, s. 35.

LA GORCE, J.,

Bridge over river Calix, 59 G. 3, c. 26.

LAGUE,

Bridge over river des Hurons, 5 G. 4, c. 36.

LAKE HURON, OTTAWA AND QUEBEC JUNCTION RAILWAY COMPANY,

Incorporated, 19, 20 V. c. 112.

LAKE HURON SILVER AND COPPER MINING COMPANY,

Incorporated, 10, 11 V. c. 72.

LAKE ST. JOHN,

Municipality constituted, 19, 20 V. c. 71.

LAKE ST. LOUIS AND PROVINCE LINE RAILWAY COMPANY,

Incorporated, 10, 11 V. c. 120.

See also Montreal and Lachine Railroad, &c.

LANDLORD, See Lessors and Lessees.**LANDS, EXECUTION AGAINST,**

Imperial Act 5 G. 2, c. 7.

May be seized and sold for the satisfaction of debts, in like manner as personal estates, s. 6.

25 G. 3, c. 2—1785—85.

Nature of writ, s. 30. *But see* 12 V. c. 38, ss. 19 and 70, as to form, and section 67 as to endorsement, s. 30.

Personal property to be first disposed of, s. 31.

Sale under, how advertised and published, s. 33.

Not to be sold until 4 months from first advertisement, and where, *ib.*

Persons having claims on, to notify sheriff, *ib.*

When two or more issue on judgments given the same day, how satisfied, s. 34.

LANDS, EXECUTION AGAINST,

Duty of sheriff with respect to oppositions, *ib.*
 Sheriff's allowance on money levied (*goes to Fee Fund now*),
 s. 35.

41 G. 3, c. 7—1801—112.

Oppositions to, how and when may be filed, s. 11.

Duty of sheriff on receiving opposition, s. 12.

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4 G. 4, c. 5—1824—50.

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4 G. 4, c. 6—1824—51.

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4, 5 V. c. 25—1841.

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- Stealing horses, cattle, &c. felony, how punishable, s. 29.
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- Stealing, destroying, &c. trees, shrubs, &c. of one shilling value, punishable by fine not exceeding £5 over and above the value of the article, s. 31.
- Stealing, cutting, breaking or throwing down with intent to steal any fence, stile or gate, punishable by fine not exceeding £5 over and above, &c., s. 32.
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19, 20 V. c. 54—1856.

Governor in council may direct certain sum to be set aside in aid of parish and township, s. 10.

To be under control of superintendent, *ib.* *And see* Normal Schools.LIBRARIES FOR SCHOOLS, *See* Schools.LIBRARY ASSOCIATIONS, *See* Mechanic's Institutes.

LIBRARY ASSOCIATION OF THE TEACHERS OF THE DISTRICT OF QUEBEC,

Incorporated, 12 V. c. 145.

LICENSES,

See Auctions—Billiards—Carters—Exhibitions—Ferries—Hawkers—Marriage—Taverns, &c.

LICITATIONS,

4 V. c. 30—1841—195.

Privileges of co-heirs under, and how registered, s. 32.

LICITATIONS, VOLUNTARY,

14, 15 V. c. 60—1851.

Court, when necessary, may appoint *experts* or arbitrators on behalf of absentees in actions *en licitation*; s. 3.

16 V. c. 203—1853.

Proceedings in, regulated.

Two *experts* to be first appointed and how; *Acte* thereof to be drawn up before notaries, s. 1.

Experts to be sworn; their duties; to make their reports before notaries *en brevet*, *ib.*

Notary to call meeting of relations and friends and proceedings thereat; draft of *Acte* to be prepared and read, *ib.*

Proceedings to be transmitted to judges for homologation, with petition, s. 2.

Form of petition and homologation, *ib.*

Proceedings to be then deposited in archives of court, *ib.*

Judge refusing to homologate, to state his reasons, *ib.*

Schedules, forms of—*Acte* of appointment—of Oath—of Report—of *Acte* of summoning relations, &c.—of Petition.

LICITATIONS, FORCED,

18 V. c. 110—1855.

To regulate proceedings on, and to give them the effect of sheriff's sale.

Public notice of sale to be given in *Canada Gazette*, s. 1.

Form of notice,.

To be also published and posted up at church door, s. 2.

Where if there be no church, *ib.*

Adjudication to have effect of *décret*, s. 3.

From what charges, &c. property to be thereby purged, *ib.*

Oppositions to sale, when may be filed, s. 4.

Party neglecting to file opposition before sale may file one *à fin de conserver* afterwards, *ib.*

Licitation to be suspended until oppositions decided, s. 5.

Court to fix another day for sale, *ib.*

What notice to be given, *ib.*

Conditions and charges to which property sold subject, s. 6.

Proceeds how to be disposed of, *ib.*

Purchasers neglecting to pay, to be subject to same penalties as purchasers under ordinary writs of execution, s. 7.

Delay for filing opposition *à fin de conserver*, s. 8.

Schedule A—Form of Notice.

LIGHT-HOUSES,

9 V. c. 37—1846.

Commissioners of public works to have charge of all public works, s. 7.

14, 15 V. c. 52—1851.

All tonnage dues for support of, repealed, s. 1.

Expenses of maintaining to be paid out of consolidated revenue fund, s. 2.

LIGHTS, See Navigation, Inland.

LIMITATION OF ACTIONS,

52 G. 3, c. 7—1812—183.

For penalties, unless a shorter term is limited in the special Act. *But see* 14; 15 V. c. 95, s. 10—as to summary conviction cases. *See also* Police and the matters to which the Penalties relate.

2 V. (1) c. 2—1838—163.

Prosecutions under police ordinance to be commenced within 3 months, s. 12.

Against persons acting under this ordinance when to be commenced, s. 16.

18 V. c. 100—1855.

For penalties under municipal act, s. 77, par. 8. *And see* 19, 20 V. c. 101, s. 27.

LIMITATION OF ACTIONS, IN COMMERCIAL MATTERS,

10, 11 V. c. 11—1847.

English statute, 21 Jac. 1, c. 16, cited, s. 1.

Doubts recited as to whether English statute was in force in Lower Canada, as a rule of evidence, *ib.*

Actions of account, &c., in commercial matters to be commenced within 6 years after cause of action arose, *ib.*

No acknowledgement unless in writing to take case out of operation of section 1, s. 2.

Joint contractor, executor or administrator not to be bound by acknowledgment or promise of his co-contractor, &c., *ib.*

Nothing herein to take away effect of any payment on account, *ib.*

In actions against several joint contractors, &c., plaintiff may succeed against some, though he fail against others, *ib.*

Plea in abatement for non-joinder how affected by this act, s. 3.

Memorandum of payment endorsed on note or bill, &c., by creditor, not sufficient proof under this act, s. 4.

Act to apply to debts alleged by way of set off, s. 5.

Commercial debts contracted during infancy, when actions maintainable therefor, s. 6.

Representations in the nature of guarantees, when actions maintainable upon, s. 7.

29 Car. 2, c. 3, (Statute of Frauds,) cited, s. 8.

Provisions thereof to extend to all contracts for sale of goods of value of £10 stg., and upwards, notwithstanding goods be for future delivery, *ib.*

8 V. c. 31, repealed, s. 9.

Act to apply to Lower Canada only, s. 10.

OF OFFICERS OF JUSTICE AND ATTORNEYS *ad lites*.

12 V. c. 44—1849.

Ordinance of King of France, June, 1510, cited.

Actions of prothonotaries and clerks for fees, subject to 3 years prescription as a bar, (*fin de non recevoir*), thereto, s. 1.

**LIMITATION OF ACTIONS, IN COMMERCIAL MATTERS,
OF OFFICERS OF JUSTICE AND ATTORNEYS *ad lites*.**

- Date from which prescription begins to run, *ib*.
 Actions of attorneys *ad lites* prescribed in 5 years, s. 2.
 Prescription to run from date of passing of Act as to fees, &c.,
 accrued previously thereto; and from final judgment for
 fees, &c. accrued afterwards, *ib*.
 Actions of sheriffs and other officers of justice for fees pre-
 scribed in 3 years, *ib*.
 Prescription to be a bar, *fin de non recevoir, ib*. *And see the*
various subjects to which the actions relate, as—Bills and
Notes—Medical Profession, &c.

LIMITATION OF APPEALS,

34 G. 3, c. 6—1794—101.

Regulated—exception as to absentees, interdicted persons,
 &c., s. 32.

LIMITATION OF PLEADINGS,

25 G. 3, c. 2—1785—85.

Regulated, s. 13.

LIMITED PARTNERSHIP, See Partnership, limited.

LIQUORS, SPIRITUOUS AND INTOXICATING, (SALE OF.)

Imp. Act 14 G. 3, c. 88.

Duty of £1 16s. sterling imposed for every license granted
 by the Governor, &c., for keeping a house or other place
 of public entertainment, or for the retailing of wine,
 brandy, rum, or other spirituous liquors, s. 5.

Penalty for contravening the said provision, and how
 recovered and applied, *ib*.

SALE NEAR PUBLIC WORKS.

16 V. c. 164—1853.

Spirituous or intoxicating liquors not to be sold within three
 miles of any railway, canal or other public work, in
 course of construction, s. 1.

Governor may declare what work is within the scope of
 this Act, *ib*.

Act not to extend to wholesale dealers, nor to the renewal
 of the license of any house or shop before licensed, *ib*.

Penalty for contravention, £5 for the first offence, £10 for
 the second, and fine and imprisonment for third offence,
 s. 2.

Clerks, servants or agents punishable as principals, s. 3.

Cases to be heard and determined before any justice, mayor,
 recorder or Circuit judge, s. 4.

Appeal allowed on certain conditions only, s. 5.

Search for liquors may be made upon the oath of any three
 municipal electors, &c., s. 6.

The owner of liquor found to be summoned, and if proved
 to have been kept for sale, &c., the liquor to be forfeited
 and destroyed, and the owner subject to a penalty of
 £10, *ib*.

Proceedings if the owner be unknown, s. 7.

LIQUORS, SPIRITUOUS AND INTOXICATING, (SALE OF)

Money paid for liquors sold in contravention of this Act, may be recovered by the party paying it; and any promise to pay shall be void, s. 8.

Witnesses may be summoned, s. 9.

Provisions of Acts for the protection of justices extended to cases under this Act, *ib.*

Costs of enforcing judgment to be included in it, s. 10.

As to costs in cases appealed, s. 11.

Proceedings not to be void for want of form, s. 12.

Inconsistent Acts repealed, s. 13. *See also Distillers—Taverns.*

L'ISLET,

Preservation of Wild Fowl in, 9 V. c. 76.

L'ISLET COUNTY REGISTRY,

Office removed, 12 V. c. 130.

LITERARY AND SCIENTIFIC ASSOCIATIONS, (PRIVATE ACTS).

See Supplement—and the Associations by their corporate names.

LITERARY AND HISTORICAL SOCIETY, Quebec,

Incorporated 10, 11 G. 4, c. 47. Charter amended, 12 V. c. 152.

LITERARY INSTITUTE OF SHERBROOKE,

Incorporated, 18 V. c. 238.

LOAN COMPANIES, (PRIVATE ACTS),

See Supplement—and the Companies by their corporate names.

LOANS BY THE PROVINCE;

13, 14 V. c. 71—1850.

Act to enable the government to dispose of claims against certain companies for loans.

The governor in council authorized to assign the same to any municipal corporation, corporation, or other party, &c., agreeing to purchase, s. 1.

See also Railways, for provincial guarantee or advances to railway companies.

LOANS, MUNICIPAL,

18 V. c. 100—1855.

Municipalities may borrow money by debentures or bonds for ordinary purposes or for aiding railway, road or bridge companies on certain conditions, s. 15, par. 9.

Sinking fund to be created, *ib.*

No by-law passed for the purpose, to be repealed or altered till principal and interest paid, *ib.*

Money borrowed by a county for above purposes to be paid by local municipalities therein; by-law for that purpose how to be approved, *ib.*

See also Lenders.—Railways.

LOANS TO THE PROVINCE, *See Finance—Public Debt.*

LOCK-UP HOUSES,

18 V. c. 100—1855.

May be provided by county municipality where no district
gaol, ss. 24, 28.

LODS ET VENTES,

3, 4 V. c. 30—1840—632.

What rate may be exacted by seminary of St. Sulpice,
s. 10.

18 V. c. 103—1855.

Right to, abolished except in certain seigniories, s. 3.

19, 20 V. c. 53—1856.

Abolished in crown seigniories from 30th May, 1855, s. 11,
par. 1.

And see Scigniorial Tenure.

LONGUEUIL AND CHAMBLY ROAD,

Established, 4 V. c. 16.

Ordinance amended, 8 V. c. 56.

Placed under Board of Works, 13, 14 V. c. 106.

LONGUEUIL, Common of,

To regulate, 10, 11 G. 4. c. 29.

LORD'S DAY, See Sunday.**LOTBINIERE,**

Circuit Court removed from Ste. Croix to, 9 V. c. 25.

Divided into two Municipalities, 12 V. c. 124.

LOTBINIERE, PARISH,

Relief to, 9 G. 40, c. 50.

Destruction of Registers, to remedy, 14, 15 V. c. 137—16 V.
c. 6.

LOTTERIES, SUPPRESSION OF,

19, 20 V. c. 49.

Persons publishing or advertising any scheme for disposal of
property by lot, or selling tickets for the purpose, to for-
feit upon conviction the sum of five pounds for each
offence; Penalty, how enforced and applied, s. 1.

Penalty for buying or receiving Lottery tickets, &c., s. 2.

Sales or gifts of property founded upon Lotteries to be void,
and property to be forfeited to the person suing for the
same, s. 3.

Proviso as to rights of *bonâ fide* purchasers, *ib.*

Committal for non payment of penalties s. 4.

Provisions of the Act to extend to foreign Lotteries s. 5.

Interpretation clause s. 6.

Appeal from convictions under this Act s. 7.

Act not to extend to tenants in common or persons having
joint interests (*droits indivis*) in property s. 8.

Commencement of Act, 1st January, 1857 s. 9.

LUMBER—LUMBERERS,

9 G. 4, c. 28—1829—136.

Lumberers may take out execution against timber cut by them, without giving security required by this (Concealed Debtors) Act, s. 3. *But see* Raft.

13, 14 V. c. 40—1850.

Provisions concerning lumber carried by floods on to lands, s. 50.

14, 15 V. c. 102—1851.

Banks of rivers in Lower Canada proper for floating or conveyance of, to be free to the public, *non obst*, 13, 14 V. c. 40, s. 2, s. 1. *See also* Rivers.

LUMBER, INSPECTION OF,

8 V. c. 49—1845.

Former Acts repealed, s. 1.

Supervisor of cullers to be appointed and sworn, s. 2.

Supervisor with four merchants to be a board of examiners of cullers, s. 3.

Cullers, appointment and qualification of, s. 4.

Divided into four departments, s. 5.

Examination and oath of office, s. 6.

Supervisor, his office, and authority, s. 7.

Assistants in measuring, to be apprentices to cullers, s. 8.

Measurement of square timber, s. 9.

Specifications of lumber culled and measured how made, s. 10. *See also* 16 V. c. 168.

Cullers to be employed in rotation, s. 11.

Lumber, how marked, s. 12.

Copy of any agreement as to mode of measurement to be given to supervisor, s. 13.

Description of the several classes of lumber, s. 14.

Improperly squared to be re-dressed, s. 15.

Fees for measuring and counting, s. 16.

Cullers' fees, s. 17.

May be altered by Governor in council, s. 18.

Supervisor's duties, s. 19.

His books to be open to inspection, s. 20.

Salary of, s. 21. *But see* 9 V. c. 16.

Licensed cullers may hire to merchants, s. 22.

Provision for settlement of disputes between cullers and owners, &c., s. 23.

Culling or measuring not compulsory as to lumber shipped by the producer, s. 24.

In other cases it must be either measured, culled or counted, *ib.*

Supervisor and cullers not to be dealers, s. 25.

Penalty on, for partiality, &c., s. 26.

" for assaulting cullers, s. 27.

New sureties required in cases of removal, &c., s. 28.

Penalty for counterfeiting stamps, &c., s. 29.

" for setting timber adrift, or concealing, or defacing marks, s. 30.

Rafts to have bright fires at night, s. 31.

Penalties, how recoverable, s. 32.

LUMBER, INSPECTION OF,

Limitation of actions, s. 33.

Commissions under former Act, to be valid, s. 34.

9 V. c. 16—1846.

Supervisor of cullers, salary increased to £500.

16 V. c. 168—1853.

Length of timber to be measured as well as girth.

18 V. c. 93—1855.

Supervisor to be deemed an officer of crown lands department, except as regards actual culling and measuring of lumber, s. 1.

Appointments in supervisor's office to be made by Governor in council, s. 2.

Supervisor authorized to withhold specifications until crown dues on the lumber are paid, s. 3.

LUNATICS,

34 G. 3, c. 6—1794—101.

Exception in favor of, as to limitation of time to appeal, s. 32. See also Interdicted persons.

LUNATICS, DANGEROUS,

14, 15 V. c. 83—1851.

Proceedings, in case of acquittal, on the ground of insanity, s. 1.

In case of arraignment, or being brought up to be discharged for want of prosecution, s. 2.

Insane persons at large may be committed in certain cases as dangerous, and how bailable, s. 3.

Becoming insane while in custody, proceedings thereon, s. 4.

Insane persons furiously mad and dangerous; may be committed by any two justices to safe custody until provided for, s. 5.

Power of the Superior court &c., not to be affected, s. 6.

Provision for the maintenance of insane persons while in custody under this Act, s. 7.

What shall be deemed a settlement gained by, s. 8.

LUNATIC ASYLUMS, PRIVATE,

14, 15 V. c. 84—1851.

Justices in quarter sessions authorized to appoint visitors, s. 1.

Visitors to be sworn, *ib.*

Vacancies how filled, s. 2.

List of visitors to be published and forwarded to the Governor, s. 3.

Clerk to visitors to be appointed, s. 4.

Remuneration to, *ib.*

May have an assistant, s. 5.

Interested parties not to act as visitors, or clerk, s. 6.

No physician, being a visitor, to sign certificate for admission, *ib.*

Nor attend professionally any patient in, without order, under penalty of £50, *ib.*

Fourteen days' notice, before the sessions, to be given of intended establishment, s. 7.

LUNATIC ASYLUMS, PRIVATE,

- License not to extend to more than one house, s. 8.
- Notice of intended addition to, or alteration, to be given, s. 9.
- Wilfully incorrect notice, plan or statement, &c., to be a misdemeanor, s. 10.
- A copy of every license granted to be sent to the provincial secretary within fourteen days, under penalty not exceeding £50, s. 11.
- Statement to be made on renewal of license, s. 12.
- Form of license—duration not to exceed thirteen months, s. 13.
- Parties licensed to give security, s. 14.
- Rates to be charged upon licenses, s. 15.
- Application thereof, s. 16.
- Annual account of to be laid before quarter sessions, s. 17.
- In case of death, license may be transferred by three justices to the superintendent of the house, s. 18.
- Provision for the transfer of patients to another house in certain events, s. 19.
- License revocable upon the recommendation of a majority of the justices in sessions, s. 20.
- No person to be received into without order, and certificate of two physicians, s. 21.
- Receiving a patient without, or signing untrue certificate, to be a misdemeanor, *ib.*
- Physician to specify the facts upon which certificate founded, s. 22.
- No person to receive any insane person into an unlicensed house without medical certificates, s. 23.
- Such party to transmit copy of medical certificates to the clerk to the visitors, and annual certificate signed by two physicians, describing patient's state of mind, *ib.*
- Under special circumstances, a patient may be received on certificate of one physician only, to be followed by another within three days—otherwise party receiving to be guilty of misdemeanor, s. 24.
- Any physician interested in, or professionally attending a licensed house, signing a certificate for admission, to be guilty of misdemeanor, s. 25.
- Entry to be made by every proprietor or superintendent on receiving lunatic, in a book, within two days, under penalty not exceeding £2 10s., s. 26.
- False entry to be a misdemeanor, *ib.*
- The form of mental disorder to be entered in the book, under the like penalty, s. 27.
- Proprietor of any licensed house to transmit notice of admission to visitors' clerk within seven days; neglect to be misdemeanor, s. 28.
- Notice to be given, within two days, to visitors' clerk, of any escape, or lunatic brought back, under penalty of £10, s. 29.
- Entry to be made, and notice given, within two days after death, discharge or removal of any patient from a licensed house—party neglecting to be guilty of misdemeanor, s. 30.

LUNATIC ASYLUMS, PRIVATE,

In case of death in any licensed house, statement of the cause to be drawn up and signed by medical attendant, and copy sent to the nearest coroner, and to visitors' clerk, and to the person who signed the order for admission, within forty-eight hours, under penalty not exceeding £50, s. 31.

Abuse, ill-treatment, or wilful neglect of any patient, to be a misdemeanor, s. 32.

Provision for the prosecution of parties concerned in any illegal detention, *ib.*

Provision for due medical attendance in licensed houses, ss. 33, 34.

Condition of the house, and patients, to be entered weekly in the "Medical visitation book" under penalty of £20, s. 35.

Untrue report to be a misdemeanor, *ib.*

Mental state, bodily condition, and medical treatment to be noted in "the case book," and copy sent if required, to visitors, under penalty not exceeding £10, s. 36.

Every licensed house to be inspected four times a-year, by the visitors, s. 37.

Who may visit every part of the establishment, s. 38.

Concealment, to be a misdemeanor, *ib.*

Visitors to make certain inquiries, s. 39.

A list of the patients, and books of the establishment to be laid before the visitors, s. 40.

Plan of the house to be hung up in some conspicuous part, s. 41.

Visitors to enter in the "visitors' book" the result of their inspection, *ib.*

Copies of entries made by visitors to be transmitted to visitors' clerk to be laid before the justices on application for renewal of license, s. 42.

Penalty for neglect not exceeding £10, *ib.*

Any two visitors may inspect the house by night, s. 43.

Patient to be discharged upon the written order of the person signing order for admission, s. 44.

Provision in case of the death of the party who signed the order, s. 45.

No dangerous person to be removed or discharged without the consent of visitors, s. 46.

Any two or more visitors (one being a physician) may, after two visits, order the discharge of any patient appearing to them detained without sufficient cause, s. 47.

Such order to be signed—the opinion of the medical attendant (if tendered) being first taken, s. 48.

Not less than seven days to intervene between such special visits, s. 49.

Preceding powers not to extend to lunatics confined by public authority, s. 50.

Visitors may require to give information concerning patients, s. 51.

Friends or relatives may be admitted to visit patient, on the order of any one visitor, s. 52.

Penalty on proprietor refusing, not exceeding £20, *ib.*

LUNATIC ASYLUMS, PRIVATE,

- Proprietor, with consent of two visitors, may send patient to a specified place for the benefit of his health, s. 53.
 In case of removal of patient into any new house, or escape, and recapture within fourteen days, original order to remain in force, s. 54.
 Proprietor may plead order in bar of suit at law, s. 55.
 Visitors authorized to summon and examine witnesses, s. 56.
 Penalty for non-attendance not to exceed £50, *ib.*
 Witnesses' expenses to be paid, s. 57.
 Penalties how recoverable, s. 58.
 Form of conviction, s. 59.
 Appeal given to the sessions, s. 60.
 Limitation of actions, s. 61.
 Offenders not to be prosecuted, nor penalties sued for, except by order of visitors, or crown officers, s. 62.
 Notices sent by the post to be sufficient, s. 63.
 Visitors' costs to be paid by clerk of the peace and included in his accounts, s. 64.
 Interpretation clause, s. 65.
 This Act not to extend to the provincial lunatic asylum at Toronto, nor the one at Beauport, near Quebec, s. 66.

LYMAN, LEWIS,

Naturalized, 4, 5 V. c. 84.

LYON, G. B.,

His surname changed to Fellowes, 19, 20 V. c. 33.

M A C

MACADAMIZED TURNPIKE ROADS,

7 V. c. 14—1843.

- Vehicles laden with or going for manure, exempted from tolls in certain cases, s. 1.
 No tolls to be collected on a Sunday or Holiday from persons going or returning from divine service, s. 2.
 Nor from persons going from one part of their land to another within half a mile, s. 3.
 Act not to extend to any Toll-bridge belonging to a private party, s. 4.

9 V. c. 37—1846.

- Management of all public roads constructed or maintained out of provincial funds, transferred to commissioners of public works, s. 7.
 Public works mentioned in schedule vested in Her Majesty, s. 23.
 Provision for transfer of any public road to the *district*, on by-law passed for securing payment of the interest of the public money expended on it, &c., *ib.*
 SCHEDULE OF ROADS REFERRED TO IN LOWER CANADA.
 The main Provincial road from Quebec to Sandwich, Excepting certain portions, within cities, or under Montreal and Quebec Turnpike Trusts, &c.

MACADAMIZED TURNPIKE ROADS,

For Schedule of maximum tolls on such Roads, *See* 12 V. c. 4—*repealing Schedule B of this Act and substituting a new one.*

12 V. c. 5—1849.

Sale and transfer of any of the public roads, harbours, authorized, ss. 12, 13. *See also* Public Works—Roads.

MACHINERY,

4, 5 V. c. 26—1841.

Wilful injury to any threshing machine, or any machinery or engine employed in any manufacture, to be felony, s. 4, 5. Riotously demolishing any building or machinery employed in any manufacture, to be felony, s. 6.

See also Steamboats.

MACKENZIE, J.,

Bridge over river Jésus, 4 W. 4, c. 29.

MADAWASKA, SAGUENAY, &c.,

Municipal Acts extended to, 9 V. c. 15.

MAGDALEN ISLANDS,

Municipal council organized in 9 V. c. 15. *But see* 18 V. c. 100, s. 4, par. 7.—and Municipal Corporations.

To be a county for registration purposes only, 18 V. c. 99, s. 12.

MAGDALEN ISLANDS, JUSTICES OF THE PEACE IN,

Property qualification dispensed with, 10, 11 V. c. 3.

MAGISTRATE,

12 V. c. 10—1849.

Meaning of the word in Acts of this or any future section, s. 5. *See also* Justices of the peace—Stipendiary magistrates.

MAGOG TOWNSHIP, CONSTITUTED, *See* Hatley.**MAIMING, *See* Cutting and Maiming.****MAIN TRUNK LINE OF RAILWAY, *See* Railways.****MAJORITY,**

22 G. 3, c. 1—1782—581.

Age of, fixed at 21 years.

MALBAIE, CHARITABLE SOCIETY,

See Society of Charitable Ladies of, &c.

MALICIOUS INJURIES TO THE PERSON,

4, 5 V. c. 27—1841.

Act for consolidating and amending the law.

Commencement of Act, s. 1.

Petit treason to be treated as murder, s. 2.

Principal in murder to suffer death, s. 3.

Accessories after the fact, how punishable, *ib.*

Sentence for murder when to be pronounced, s. 4.

Prison regulations as to murderers after sentence, s. 5.

MALICIOUS INJURIES TO THE PERSON,

- Trial of murder, or manslaughter where the cause of death happens out of the province, s. 6.
- Where death ensues out of the province from cause arising within, *ib.*
- Punishment for manslaughter, s. 7.
- Homicide, by misfortune or self defence, s. 8.
- Administering poison or stabbing, &c. with intent to murder, felony, death, s. 9.
- Attempt to murder by poison, shooting at, drowning, &c., without bodily injury effected, felony, s. 10.
- Shooting at, cutting and maiming with intent to disfigure, &c., or to prevent lawful arrest, felony, s. 11.
- Sending or delivering explosive substance with intent to injure, felony, s. 12.
- Abortion, attempt to procure by poison or other means, felony, s. 13.
- Concealment of birth, misdemeanor, s. 14.
- Sodomy—punishment for—death, s. 15.
- Rape—punishment for—death, s. 16.
- Carnal knowledge of a girl under ten years of age, felony, death, s. 17.
- Above the age of ten, and under twelve, misdemeanor, *ib.*
- Proof of carnal knowledge, what shall be, s. 18.
- Forceful abduction of an heiress, &c., felony in principal and accessories, s. 19.
- Unlawful abduction of a girl under sixteen from her parents or guardians, &c, misdemeanor, s. 20.
- Child stealing, aiders and abettors in, guilty of felony, s. 21.
- Bigamy, to be felony, s. 22.
- Arresting a clergyman during divine service, &c., misdemeanor, s. 23.
- Assaulting any justice, officer or other person endeavouring to save shipwrecked vessel or property, how punishable, s. 24.
- Assault with intent to commit felony; or on peace officers in execution of their duty—or in pursuance of conspiracy to raise wages, how punishable, s. 25.
- Assault on any seaman to prevent him from working; or any person with intent to hinder the buying or selling any wheat, grain, &c., how punishable, s. 26.
- Common assault, punishable on summary conviction before one justice, ss. 27, 28, 29, 30. *See also* Assault.
- Disturbing religious service, punishable on summary conviction, and how, s. 31. *See also* Religious worship.
- How fines under this Act shall be levied, s. 32.
- Appeal given to quarter sessions, s. 33.
- Such appeal to be triable by a jury, s. 34.
- Punishment of accessories in felony under this Act, s. 35.
- Imprisonment under this Act may be accompanied by hard labour or solitary imprisonment, s. 36.
- Jury may in certain cases acquit of felony and convict of assault, s. 37.
- Act not to affect laws governing Her Majesty's forces, s. 38.
- Party imprisoned under this Act, may be pardoned, in any case, s. 39.

MALICIOUS INJURIES TO THE PERSON,

Proceedings in cases of summary conviction under this Act, ss. 40, 41, 42.

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18 V. c. 92—1855.

Chloroform, administering with intent to commit felony, to be felony, s. 29.

Wounding, unlawfully and maliciously with or without any weapon, or unlawfully and maliciously cutting, stabbing or wounding any person, misdemeanor, and how punishable, s. 30.

Defendant indicted for felony by cutting, stabbing or wounding may be found guilty of cutting, &c., though the felony be not found, s. 31.

Punishment therefor, *ib.*

Maliciously throwing any thing against a railway carriage, with intent to injure any person, to be felony, s. 33.

See also Railways—Explosive Substance, &c.—and Supplement.

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4, 5 V. c. 26—1841.

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Commencement of Act, s. 1.

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Setting fire to any dwelling house any person being therein, s. 2. See also 10, 11 V. c. 4.

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Destroying any goods in the course of manufacture, or any manufacturing implement or machinery, and forcible entry with intent, &c., s. 4.

Destroying any threshing machine, or any other machine, with certain exceptions, s. 5.

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Setting fire to any ship or vessel with intent to murder, s. 7.

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Setting fire to, or any way destroying any ship or vessel with intent to prejudice the owner, &c., s. 9.

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Destroying wrecks or any goods belonging thereto, s. 11.

Destroying any seabank, &c., or works on any river or canal, s. 12.

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Destroying or rendering dangerous any bridge, s. 13.

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FELONIES.

Breaking down the dam of any fishpond, or using any noxious material to destroy any fish therein, or breaking down any mill dam, s. 15.

Maliciously killing or wounding any cattle, s. 16.

Maliciously setting fire to any agricultural produce or any coals, charcoal or wood, s. 17.

Maliciously destroying hopblinds, s. 18.

Maliciously destroying or damaging any tree, &c., growing in any part or pleasure ground, garden, orchard or avenue, &c., s. 19.

Maliciously destroying any tree, &c. elsewhere—the damage exceeding one pound, *ib.*

OFFENCES PUNISHABLE ON SUMMARY CONVICTION.

Maliciously destroying any tree, &c., to the value of one shilling, fine not exceeding one pound, besides value, s. 20.

Destroying any fruit or vegetable production in any garden, orchard, &c., fine not exceeding £2, besides value, s. 21.

Destroying any vegetable production not growing in a garden, fine not exceeding 20s. besides value, s. 22.

Destroying any fence, wall, stile or gate, fine not exceeding 20s., s. 23.

Malicious injury to or upon any real or personal property, public or private, for which no other remedy provided, compensation not exceeding £5, s. 24.

Offences under this Act equally punishable although malice be not shown, s. 25.

Principals in the second degree, and accessories before the fact, punishable as principals in the first degree, s. 26.

Accessories after the fact how punishable, *ib.*

Abettors in misdemeanor how punishable, *ib.*

The court may in all cases of conviction where imprisonment is awarded, order hard labour, or solitary confinement, s. 27.

Offenders found contravening this Act, may be apprehended without warrant by any peace officer or the owner of the property, and taken before a justice, s. 28.

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Summary conviction to be a bar to other proceedings, s. 36.

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10, 11 V. c. 4—1847.

Malicious attempt to set fire to any building, stack or vegetable produce, felony, s. 7.

18 V. c. 92—1855.

Setting fire to any stack of corn, grain, &c., felony, s. 35.

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12 V. c. 41—1849.

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4, 5 V. c. 27—1841.

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4, 5 V. c. 26—1841.

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6 G. 4, c. 8—1826—38.

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16 V. c. 198—1853.

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18 V. c. 3—1854.

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9 G. 4, c. 20—1829—191.

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4 V. c. 30—1841—195.

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8 V. c. 27—1845.

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16 V. c. 206—1853.

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18 V. c. 3—1854.

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4 V. c. 30—1841—195.

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28 G. 3, c. 8—1788—586.

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Certain persons excepted; patent drugs may be sold with-
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4, 5 V. c. 41—1841.

Persons licensed in either section of the Province, may
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10, 11 V. c. 26—1847.

Ord. 28 G. 3, c. 8 repealed except as relates to Druggists;
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14, 15 V. c. 105—1851.

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18 V. c. 244—1855.

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County divided into two Registration Districts, 12 V. c. 129.

MEGANTIC JUNCTION RAILWAY AND NAVIGATION COMPANY,

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See 10, 11 V. c. 11, *Title* Limitation of Actions.

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4 V. c. 30—1841—195.

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7 V. c. 22—1843.

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8 V. c. 27—1845.

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19, 20 V. c. 15—1856.

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19, 20 V. c. 88—1856.

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18 V. c. 77.—1855.

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2 V. (3) c. 17—1839—624.

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Duplicate registers to be property of congregation;—after removal of minister, where deposited, ss. 3, 4.

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34 G. 3, c. 6—1794—101.

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4, 5 V. c. 25—1841.

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16 V. c. 29—1852.

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18 V. c. 99—1855.

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MONTREAL FIREMEN'S BENEVOLENT ASSOCIATION,

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MONTREAL FIRE, LIFE AND INLAND ASSURANCE COMPANY,

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MONTREAL MINING COMPANY,

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MONTREAL OCEAN STEAMSHIP NAVIGATION COMPANY,

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MONTREAL PUBLIC BAKERY,

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12 V. c. 35—1849.

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4 V. c. 30—1841—195.

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12 V. c. 56—1849.

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Municipalities may take stock in such companies, s. 29.

Municipalities to be represented by mayor or other chief officer, *ib.*

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And see below 18 V. c. 100, s. 18.

14, 15 V. c. 51—1851.

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14, 15 V. c. 95—1851.

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16 V. c. 138—1853.

Of counties of Two Mountains, Terrebonne, Rouville and Missisquoi, empowered to pass a by-law to take stock not exceeding £100,000 each in railways running through said counties; impose special rate and establish sinking fund, s. 1.

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If by-law passed, money how may be raised by loan, s. 4.

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Municipal officers liable to *contrainte par corps* for disobeying sheriff or bailiff charged with writ, *ib.*

Special powers and duties of sheriff and bailiff; *ib.*

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By-laws not to be repealed until the whole debt paid, s. 8.

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Schedule A. form of debenture.

16 V. c. 211—1853.

Circuit court declared to be the proper Court of review in appeals from by-laws of municipal Councils, s. 1.

16 V. c. 213—1853.

Act 16 V. c. 138 extended to all municipalities in L. C. and to companies established under 12 V. c. 56, (Joint Stock Road Companies Act, &c.) s. 1.

Stock when and how may be taken by County Council on behalf of one or more townships or Parishes, s. 2.

Debentures; form of, and payment of, how enforced; parish or township councillors in such case must consent to by-law; but it need not be submitted to electors.

18 V. c. 18—1854.

Proceedings in case of default to elect new councillors, ss. 1, 2.

But see below 18 V. c. 100, ss. 27, 29.

Previous elections declared valid, and pending suits not to be affected, ss. 3, 4. *This Act does not seem to apply to present municipalities.*

18 V. c. 99—1855.

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Municipal corporation of county; duty of with respect to keeping registry offices in repair; penalties for neglect how recovered, s. 7.

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How paid for, s. 8.

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Commencement of act, s. 1.

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But shall apply after such cession, *ib.* par. 2.

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Terms Parish—Township—Municipality—County Municipality—Local Municipality—County Council—Local Council—Chief Officer—County Councillor—Local Councillor—County Superintendent—Owner—Road—Public Bridge—Lot—Public Notice—Special Notice—District—County,—defined.

Mode of giving public notices, s. 8. *But see below* 19, 20 V. c. 101, s. 2.

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Composition of county councils, *ib.*, par. 5.

Composition of local councils, *ib.*, par. 6.

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- Doors to be open, *ib.*, par. 7.
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- Appointment of secretary-treasurer, s. 13. *And see below*, 19, 20 V. c. 101, ss. 4 and 10.
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- Security how to be given, *ib.*, par. 4.
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- Duties of secretary-treasurer; receipts and payments, *ib.*, par. 7.
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- Contrainte par corps* allowed to enforce judgment, *ib.*, par. 12.
- Council may appoint other officers, *ib.*, par. 13.
- Delivery of moneys, &c., by an officer to his successor, *ib.*, par. 14.
- His representative to deliver the same in case of his death, &c., *ib.*, par. 15.
- Successor, how may recover the same if not delivered, *ib.*, par. 16.
- Mode of appointing officers; notice, s. 14. (Form P.)
- Term of office, *ib.*, par. 2.
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- All municipal councils may make by-laws concerning,—
- Order, &c., at sessions, s. 15, par. 1. (Forms I and J.)
- Acquiring and disposing of property, *ib.*, par. 2.
- Constructing or leasing, &c., building, *ib.*, par. 3.
- Construction, repair, &c., of fences, ditches, &c., *ib.*, par. 4.
- Regulating and licensing ferries, *ib.*, par. 5.
- Limitation as to period of licenses, &c., *ib.*
- Acquiring roads or bridges from government, *ib.*, par. 6.
- Raising and levying money by rates equally imposed, *ib.*, par. 7.
- Aiding in construction of roads, benefitting municipality though not in it, *ib.*, par. 8.
- Borrowing money, issuing bonds or debentures for assisting construction of railways, *ib.*, par. 9.
- Managing sinking fund, *ib.*
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APPOINTMENT OF OFFICERS, THEIR DUTIES.

- Money borrowed by a county for railway purposes to be paid by local municipalities within it, *ib.*
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 Depositing money, *ib.*, par. 10.
 Paying damages done by rioters, *ib.* par. 11.
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 Defining duties of officers and enforcing performance thereof, *ib.* par. 13.
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 Imposing and enforcing payment of penalties, *ib.* par. 15.
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PUBLICATION OF BY-LAWS.

- Publication of by-laws to be effected by posting up on church-door or other public place, and by insertion in newspapers, s. 16.

PERSONS DISQUALIFIED OR EXEMPT FROM ACCEPTING OFFICE AS MEMBERS OR OFFICERS OF MUNICIPAL COUNCILS.

- Persons disqualified as councillors or officers, s. 17. And see 19, 20 V. c. 101, s. 6.
 Persons exempted from serving except by their own consent, *ib.* par. 2.
 Appointment in place of councillor elected and disqualified or claiming exemption, *ib.* par. 3.

COUNTY COUNCILS—SPECIAL POWERS:

- To have certain powers under 12 V. c. 56 (Joint Stock Companies for roads, &c.), s. 18.
 May make by-laws concerning,—
 Place of sitting of county council: Proviso, s. 10, par. 1.
But see below 19, 20 V. c. 101, s. 7.
 Construction, &c., of a court house and gaol, *ib.* par. 2.
 Maintenance of a registry office, *ib.* par. 3.
 Turnpikes and tolls within certain limits: proviso, *ib.* par. 4.
 Fire in the woods; prevention of damage by, &c., *ib.* par. 5.
 Fees to county superintendent or secretary-treasurer, *ib.* par. 6.
 Regulating fisheries, *ib.* par. 7. *Certain additional powers are vested in county councils by* 19, 20 V. c. 101, ss. 8, 9, *which see below.*

SESSIONS OF COUNTY COUNCILS—ELECTION OR APPOINTMENT OF WARDENS.

- First session when and where to be held, s. 20.
 Quorum of what to consist, *ib.* par. 2.
 Registrar to preside at first meeting, *ib.*, par. 3.
 Election of warden; to preside when chosen, *ib.*, par. 4.
 Governor to appoint warden if none elected, *ib.*, par. 5.
 Term of office of Warden, *ib.*, par. 6.
 Removal of warden by council, *ib.*

MUNICIPAL CORPORATIONS,

APPOINTMENT OF COUNTY SUPERINTENDENT.

To be appointed by Council, s. 21.

Must reside in the county; not to hold other office, *ib.*, par. 2.

But see below 19, 20 V. c. 101, s. 10.

May appoint deputies; to be responsible for their acts, *ib.*, par. 3.

Appointment of deputy, *ib.*, par. 4. (Form G.)

Notice thereof, *ib.* (Form H.) *But see below* 19, 20 V. c. 101, s. 10, par. 2.

Sec. treasurer to act for him in certain cases, *ib.*, par. 5.

But see 19, 20, V. c. 101, s. 10.

County superintendent to keep a repertory, *ib.*, par. 6.

To deliver copies of documents; such copies to be *prima facie* evidence, &c., *ib.*, par. 7.

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COUNTY DELEGATES.

Three delegates for each County, s. 22.

Warden to be one; other two how appointed; term of office, *ib.*, par. 2.

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LOCAL COUNCILS—POWERS COMMON TO ALL.

May make by-laws concerning,—

Opening, making, repairing, &c., roads, bridges, &c.; proviso—restrictions as to levying of rates, &c., s. 23, par. 1. *And see below* 19 and 20 V. c. 101, s. 11, par. 3.

Opening and adorning public squares, &c., *ib.*, par. 2.

Prevention of abuses prejudicial to agriculture; pounds, &c.; animals running at large; damages done by animals, &c., *ib.*, par. 3.

Pits and precipices, *ib.*, par. 4.

Dogs and tax thereon, *ib.*, par. 5.

Par. 6 is repealed by 19, 20 V. c. 101, s. 11, par. 4.

Carters, *ib.*, par. 7.

Public exhibitions, *ib.*, par. 8.

Maps, plans and surveys of the municipality, *ib.*, par. 9.

The division of the municipality for road purposes, *ib.*, par. 10. *Certain additional powers are vested in local councils by* 19, 20 V. c. 101, s. 11, *which see below.*

SPECIAL POWERS OF TOWN AND VILLAGE COUNCILS.

Town and village councils may make by-laws concerning, s. 24.

Markets and market places, *ib.*, par. 1.

Appointment, &c., of clerks and other officers of markets, leasing of stalls, duties, sale of certain articles, &c., *ib.*, par. 2.

Duties on vehicles in which articles are brought to market, *ib.*, par. 3.

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Weight and quality of bread; marking bakers' names, &c., *ib.*, par. 5.

Commutation of statute labour, *ib.*, par. 6.

Assessments for making sewers, &c., *ib.*, par. 7. *But see below* 19, 20 V. c. 101, s. 13.

MUNICIPAL CORPORATIONS,

SPECIAL POWERS OF TOWN AND VILLAGE COUNCILS.

- Fencing real property, *ib.*, par. 8.
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 Compensation in certain cases, *ib.*
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 Preventing accidents by fire; regulations for extinguishing fires, *ib.*, par. 12.
 Obliging certain trades to construct furnaces in a certain manner, *ib.*, par. 13.
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 Furnaces for lime and charcoal, *ib.*, par. 15.
 Discharging fireworks, *ib.*, par. 16.
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 Compensating persons injured or performing services at fires, or families of persons killed, *ib.*, par. 19.
 Authorizing destruction of houses to stop fires and the compensation therefor, *ib.*, par. 20.
 Regulating masters and servants, *ib.*, par. 21.
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 Authorizing officers to inspect property to see that by-laws are complied with, *ib.*, par. 26.
 Preventing violent driving or riding, *ib.*, par. 27.
 Providing Lock-up house in default of gaol, *ib.*, par. 28.

POLICE.

- Certain clauses of Quebec and Montreal police ordinance relating to disorderly persons extended to town and village municipalities, *ib.*
 Sections 8, 9, 10 and 11 of ordinance 2 V. c. 2, as amended by 7 V. c. 21, and 9 V. c. 23, extended to towns and villages, s. 25.
 To what place offenders may be committed, *ib.* *And see* Disorderly Persons—Police.

PERSONS QUALIFIED TO VOTE FOR MEMBERS OF LOCAL COUNCILS.

- Qualification of voters at municipal elections; as to property; residence; not being in arrear for taxes, s. 26.

ELECTION OF COUNCILLORS.

- Meetings of qualified electors, s. 27. *But see below* 19, 20 V. c. 101, s. 9, par. 8.
 Notice of meeting by whom given in first instance, *ib.* (Form A.)
 Who may be elected, *ib.* *But see below* 19, 20 V. c. 101, s. 14.
 Qualification of councillors, *ib.* *But see below* 19, 20 V. c. 101, s. 14, par. 2.
 Appointment of a person to preside at meetings, *ib.*, par. 2. (Form C.)
 Who to preside in default of person appointed, *ib.*, par. 3.
 Person presiding not disqualified as councillor, *ib.*, par. 4.

MUNICIPAL CORPORATIONS,

ELECTION OF COUNCILLORS.

- Powers of person presiding for preserving the peace, *ib.* par. 5.
 May command assistance, swear in special constables, &c., *ib.*
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 Poll book to be kept if more than seven candidates, *ib.* par. 7.
 Casting vote how and when may be given by person pre-
 siding, *ib.*
 In what case candidate to be declared duly elected, *ib.*
 Poll may be continued to second day if all votes not polled
 on first, *ib.* par. 8.
 To be closed if no vote be offered for an hour, *ib.* par. 9.
 Provided persons have not been prevented from voting by
 violence, *ib.*
 Voter may be required to take certain oath, *ib.* par. 10.
 Notice to be given to councillors elected, s. 28.
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 Appointment of councillors by governor, if none or less than
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 Place and time of first session to be notified to them; how
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SESSIONS OF LOCAL COUNCILS—ELECTION OR APPOINTMENT
OF MAYOR, &c.

- Place and time of first meeting, s. 30.
 Quorum to consist of four, *ib.* par. 2.
 Appointment of secretary-treasurer and mayor, *ib.* par. 3.
 Who to be mayor in default of election, on first day of ses-
 sion, *ib.* par. 4.
 Election or appointment of mayor to be signified to warden,
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VACANCIES.

- In councils how filled up: Proviso,—vacancy not to affect
 the powers and duties of others, s. 31.
 If the person occasioning vacancy be the mayor, *ib.*, par. 2
 Term of office of new councillor, *ib.*, par. 3.

APPOINTMENT OF CERTAIN OFFICERS.

- Three valuers, their qualification and oath of office; ins-
 pectors, &c., of roads, fences and ditches and pound
 keepers; number, s. 32.
 How and when to be appointed, *ib.* *But see below as to*
appointment of valuers 19, 20 V. c. 101, s. 24, par. 3.

ANNEXATION OF PARTS OF PARISHES AND TOWNSHIPS AND OF EX-
TRA-PAROCHIAL PLACES.

- Of extra-parochial places; parishes; proviso as to parishes
 in townships, s. 33. *But see below* 19, 20 V. c. 101, s. 9,
 par. 9.
 Parishes, &c., partly in one county and partly in another,
ib., par. 2.

MUNICIPAL CORPORATIONS,

ANNEXATION OF PARTS OF PARISHES AND TOWNSHIPS AND OF EXTRA-PAROCHIAL PLACES.

- Every township to be a municipality; exception, *ib.*, par. 3.
 Exception as to Townships having less than 300 souls, *ib.*, par. 4.
 Provision in case of parishes including town, village or townships; exception if containing less than 300 souls, *ib.*, par. 5.
 Annexation of extra-parochial places how effected, *ib.*, par. 6. (Form K.)
 Separation when locality annexed contains more than 300 souls, *ib.*, par. 7.
 Enumeration of inhabitants to be made in certain cases and by whom, *ib.*, par. 8.
 Costs of enumeration how paid, *ib.*, par. 9.
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- How effected, s. 34.
 Petition by forty electors, *ib.*, par. 1. (Form R.) *But see below* 19, 20 V. c. 101, s. 16, par. 6.
 Proceedings thereon, *ib.*
 County superintendent to give notice of visit, *ib.*, par. 2. (Form S.)
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 If number be sufficient, limits how to be defined, *ib.*, par. 4.
 Report of county superintendent where deposited, *ib.*, par. 5.
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 If amendment be made, *ib.*, par. 8.
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 Governor in council may approve, reject or amend, *ib.*, par. 10.
 Proclamation if approved with or without amendments, *ib.*, par. 11.
 Effect of such proclamation; when to take effect, *ib.*, par. 12.
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 Council of parish, &c., may still hold session in town^{or} village erected with separate municipality, *ib.*, par. 14.
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- To be decided by circuit court, s. 35.
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CONTESTED ELECTIONS.

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Irregularities in election how to be considered, *ib.* par. 7.

Proceedings if election declared void, *ib.* par. 8.

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APPOINTMENTS BY THE GOVERNOR.

Governor to be informed by chief officer or registrar, of failure to elect and to appoint officer to vacant office, and how, s. 36. (Form X).

Information how may be given, in default of chief officer or registrar.—Appointment, *ib.* par. 2. *And see below* 19, 20 V. c. 101, s. 17.

MONEYS, DEBTS AND PROPERTY OF MUNICIPALITIES HEREBY ABOLISHED.

Moneys to be paid over to secretary-treasurer of new county council, and how applied; recourse of any other county saved, s. 37.

How to be recovered if not so paid over, *ib.* par. 2.

As to assessments, &c., due when this act comes into force, *ib.* par. 3.

Transfer of property of old municipalities to those under this act, *ib.* par. 4.

Debts, contracts, &c., of municipalities ceasing under this act, by what municipality to be paid or enforced, *ib.* par. 5.

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ROADS, BRIDGES AND OTHER PUBLIC WORKS:

CLASSIFICATION AND GENERAL PROVISIONS APPLICABLE TO THEM.

Roads, &c., to be classified as—Provincial works—County works, and Local works, s. 39, pars. 1, 2 and 3.

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Front roads, what, *ib.*, par. 1.

By-roads (*routes*), what, *ib.*, par. 2.

Roads between two concessions, *ib.*, par. 3.

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Width of front roads, s. 41.

Of by-roads, *ib.*, par. 2.

May be wider if ordered by *procès-verbal* or by-law, *ib.*, par. 3.

Ditches, how and where to be made, *ib.*, par. 4.

MUNICIPAL CORPORATIONS,

ROADS, BRIDGES AND OTHER PUBLIC WORKS.

CLASSIFICATION AND GENERAL PROVISIONS APPLICABLE TO THEM.

- Ditches may be dispensed with in certain cases, *ib.*, par. 5.
- Water courses, provision concerning, *ib.*, par. 6.
- Water courses, persons bound to allow making of when ordered; compensation, *ib.*, par. 7.
- Certain ways declared roads under this Act, *ib.*, par. 8.
- Roads used for 10 years without contestation, *ib.*, par. 9.
- Ground occupied by road, in whom vested, *ib.*, par. 10.
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FERRIES.

- When both sides in one local municipality, how governed, s. 42.
- How, when in same county but not in same local municipality, *ib.*, par. 2.
- Moneys arising from ferry licenses to whom to belong, *ib.*, par. 3.
- On waters between two counties how governed, *ib.*, par. 4.
- Exclusive privileges saved, *ib.*, par. 5.
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FORDS OVER RIVERS.

- To be kept even at bottom and free from stones, s. 43.

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- Fences to be taken down at certain seasons, exception, s. 44.
- Where to be made, *ib.*, par. 2.
- Through what property to be carried, *ib.*, par. 3.
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- Jurisdiction on rivers, &c., between two municipalities, *ib.*, par. 5.
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- Joint expense in certain cases, *ib.*, par. 7.
- Roads across the St. Lawrence; proviso—when leading to a city; proviso as to Montreal, *ib.*, par. 8.
- Double track how may be ordered, *ib.*, par. 9.
- Balises* how placed and of what kind, *ib.*, par. 10.

BY WHOM ROADS, &C., ARE TO BE MADE AND MAINTAINED IN THE ABSENCE OF ANY BY-LAW OR PROCÈS-VERBAL.

- Front road of lots, s. 45.
- Fords and public bridges, *ib.*, par. 2.
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- By-roads leading to mills, ferries, &c., *ib.*, par. 4.
- Front roads on Crown lands, *ib.*, par. 5.
- Work on by-roads and public bridges how to be done, *ib.*, par. 6.
- Streets in towns and villages, *ib.*, par. 7.
- Exemption claimed, by whom to be proved, *ib.*, par. 8.

EXISTING PROCÈS-VERBAUX AND BY-LAWS CONTINUED UNTIL REPEALED.

- Existing *procès-verbaux* touching roads and bridges, continued, s. 46.

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EXISTING PROCÈS-VERBAUX AND BY-LAWS CONTINUED UNTIL
REPEALED.

Also existing apportionments of works, *ib.* par. 2.

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Sect. 46, par. 4, is repealed by 19, 20 V. c. 101, s. 18.

Répartitions though calculated on superficial contents of lots only, to be valid, *ib.* par. 5.

NEW PROCÈS-VERBAUX.

Application to county superintendent, how to be made; his duty thereupon, s. 47.

To give public notice of his visit, *ib.* par. 2.

Report of superintendent; *procès-verbal* if required, *ib.* par. 3.

What *procès-verbal* shall determine, *ib.* par. 4.

How shares of money, work, &c., to be furnished by occupants, &c., of lots shall be apportioned, *ib.* par. 5.

Portion of road to be made by each party to be defined if practicable; if work excessive, relief to be granted in certain cases, *ib.* par. 6.

Par. 7 of section 47 is repealed by 19, 20 V. c. 101, s. 19.

What may be ordered by *procès-verbal*, s. 48.

As to construction of bridges, *ib.* par. 1.

Fences at side of roads, *ib.* par. 2.

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Deposit of *procès-verbal* for revision; who to revise the same, s. 49.

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Delegates when to be notified; and local municipalities, *ib.* par. 3.

Delegates to attend, &c., *ib.* par. 4.

Quorum for revision; casting vote, *ib.* par. 5.

Who shall act as clerk of delegates; his duty, *ib.* par. 6.

Parties interested how heard, *ib.* par. 7.

Procès-verbal how may be homologated; when to be in force, *ib.* par. 8.

Procès-verbal when deemed homologated by lapse of time, *ib.* par. 9. *But see below 19, 20 V. c. 101, s. 20.*

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A copy to be delivered for each county interested, by and to whom, *ib.* par. 11.

Procès-verbal to be in duplicate, *ib.* par. 12.

How deposited of record, *ib.* *And see 19, 20 V. c. 101, s. 20.*

Procès-verbaux may be repealed, altered, &c., by others, *ib.* par. 13.

COUNCILS MAY RAISE MONEY FOR MAKING ROADS AND BRIDGES BY
ASSESSMENT.

Money may be raised by assessment and applied *non obst. procès-verbal*, s. 50.

Local municipality may make by-law to that effect; effect thereof, s. 51.

Further effect of such by-law—

MUNICIPAL CORPORATIONS,

COUNCILS MAY RAISE MONEY FOR MAKING ROADS AND BRIDGES
BY ASSESSMENT.

- Increase of statute labor, *ib.*, par. 2.
- Municipality bound to maintain roads, &c., thereafter; duty of road officers, *ib.*, par. 3.
- Municipality liable for damages arising from non-repair, *ib.*, par. 4.
- Local council may regulate manner of applying money and labor, *ib.*, par. 5.
- Roads may be divided into convenient portions as regards statute labour, how and by whom, *ib.*, par. 6.
- By-law how may be repealed; effect thereof, *ib.*, par. 7.

COMPENSATION FOR LANDS TAKEN FOR ROADS AND OTHER PUBLIC
WORKS.

- Compensation when and by whom to be paid, s. 52.
- Mode of estimating amount thereof, *ib.*, par. 2.
- None to be allowed for first front road, except in certain case, *ib.*, par. 3.
- Valuators to ascertain amount after notice to parties interested, *ib.*, par. 4.
- Two valuers may act; How if any disqualified, *ib.*, par. 5.
- As to objection to valuers, *ib.*, par. 6.
- Certificate to be granted after hearing parties, how recorded; to be final, *ib.*, par. 7.
- What description shall suffice in such certificate, *ib.*, par. 8.
- Land to be vested in municipality after payment of compensation, if any, *ib.*, par. 9.
- Registration not necessary, *ib.*
- Compensation how and by whom to be paid, *ib.*, par. 10.
- Proceedings if claimed by more than one party, *ib.*
- New roads not to be made through certain property without consent; exception, *ib.*, par. 11.

POWERS AND DUTIES OF ROAD OFFICERS.

- Certain works to be maintained under direction of county superintendent, s. 53.
- Power to enter on lands for certain purposes *after special notice*, *ib.* par. 2. (Form B B). *But see below* 19, 20 V. c. 101, s. 21.
- Compensation allowed for actual damage only, *ib.*
- Overseers may take materials off unoccupied lands; compensation—how set off or paid: Proviso if damage exceed £5, *ib.* par. 3.
- County superintendent to visit roads twice a year; take notes, prosecute officers in default, give instructions, &c., s. 54.
- To report thereon and transmit the same to secretary-treasurer, to be laid before council, *ib.* par. 2. *But see* 19, 20 V. c. 101, s. 10, par. 2.
- And make general report annually to warden of county; to be laid before county council, *ib.* par. 3.
- To give notice of visits, *ib.*, 4. (Form C C).
- Inspectors to accompany superintendent in their divisions, &c., *ib.* par. 5.

MUNICIPAL CORPORATIONS,

POWERS AND DUTIES OF ROAD OFFICERS.

Inspectors to examine roads in their division once a month, call overseers to accompany them; prosecute defaulters, &c., s. 55.

Notes how to be kept, *ib.* par. 2.

To give notice of visits, *ib.* par. 3. (Form D D). *But see below* 19, 20 V. c. 101, s. 22.

Overseers to accompany them, &c., *ib.* par. 4.

Inspectors how and when to report to superintendent, *ib.* par. 5.

OBSTRUCTION OF PUBLIC ROADS.

Inspectors to cause obstructions to be removed and report encroachments, s. 56.

What shall be deemed an obstruction, *ib.* par. 2.

Penalty for causing obstruction, *ib.*, par. 3.

Justice may order removal of obstruction, and how, *ib.*, par. 4.

County superintendent to bring action against parties encroaching, *ib.*, par. 5.

How brought; judgment, how enforced, *ib.*, par. 6.

Costs in such action, *ib.*, par. 7.

ROAD WORKS.

Duties of inspectors as to work to be done thereon, &c.

Statement in writing to be furnished to overseers; what to contain, &c., s. 57.

Duties of overseers as to work to be done thereon, &c., *ib.*, par. 2.

Penalty on persons disobeying orders of overseers as to labour on road, s. 58.

No notice necessary for repair of front road; penalty for not repairing, *ib.*, par. 2.

Penalties, to whom payable and how applied, *ib.*, par. 3.

May be paid before suit, *ib.*, par. 4.

Inspectors and overseers liable for damages caused by their neglect, *ib.*, par. 5.

County superintendent may have portions of roads made as models, s. 59.

Overseer, how may cause unperformed work to be done, and recover the costs with 20 per cent additional, s. 60.

Or inspector may cause it to be done by municipality, which may then recover above costs, *ib.*, par. 2.

What shall be proof of necessary facts in foregoing cases, *ib.*, par. 3.

The 20 per cent to be in lieu of penalty, *ib.*, par. 4.

Occupant of land to be liable for road charges and one year's arrears; saving his recourse, s. 61.

Liability for damages arising from non-performance of work, *ib.*, par. 2.

Overseer to report arrears, and inspector to sue for the same, s. 62.

County superintendent may set up mile and guide posts; expenses thereof how paid, s. 63.

May require inspectors to procure snow plough, rollers and scrapers, *ib.*, par. 2.

MUNICIPAL CORPORATIONS,

ROAD WORKS.

- How the same to be used and how paid for, *ib.*
- May employ surveyors, engineers, &c., *ib.*, par. 3.
- May direct or allow footpaths, *ib.*, par. 4.
- Inspector may permit trees to be planted thereon, *ib.*

EXECUTION OF COUNTY WORKS.

- Proceedings where the work is to be done by the job or contract, s. 64. *But see below* 19, 20 V. c. 101, s. 23.
- Advertisement for tenders, *ib.*, par. 2.
- Work to whom to be adjudged, *ib.*, par. 3.
- In whose name contract to be made; and how enforced, *ib.*, par. 4.
- Security to be given by contractor, *ib.*, par. 5.
- Inspectors to superintend the performance of the contract and County Superintendent to make apportionment of cost, *ib.*, pars. 6, 7.

VALUATORS AND VALUATION.

- Valuation to be made of property by valuers and when; or a majority of them and how; proviso as to lots partly in one municipality and partly in another, s. 65.
- Valuers may require assistance of secretary treasurer or employ a clerk, *ib.*, par. 2.
- Valuation roll (Form EE) where recorded; what to contain; its effect and use; may be amended, *ib.*, par. 3.
- Provisions as to assessments of railway companies, *ib.*, par. 4.
- Governor to appoint valuers if valuation roll not made within certain time, s. 66.
- Their duties and liabilities, *ib.*, par. 2.
- Valuation to be made at cost of valuation in default; costs how taxed, *ib.*, par. 3.
- Costs how recovered, *ib.*, par. 4.
- Owners of assessed property to pay assessments in proportion to its value, s. 67.
- Assessments to be a special charge without registration, *ib.*, par. 2.
- Local council may amend valuation roll, s. 68, *and see below* 19, 20 V. c. 101, s. 11, par. 2.
- How such amendments to be made, *ib.*, par. 2.
- Notice to be given before revision, *ib.*, par. 3. (Form F. F.)
- Valuation roll to be open to inspection, *ib.*, par. 4.
- Parties to be heard, *ib.*, par. 5.
- Valuation not amended within certain time to be binding, *ib.*, par. 6.
- Copy to be delivered to warden, *ib.*, par. 7.
- Valuation roll to remain in force 5 years and until a new one is homologated, s. 69. *But see below* 19, 20 V. c. 101, s. 24.

ASSESSMENT OF BUSINESS OF MERCHANTS AND OTHER PERSONS
AND INCOMES OF PROFESSIONAL.

- Value of business of certain parties to be entered on roll; how calculated, s. 70.
- The same of practice of professional men and office holders, *ib.*, par. 2.

MUNICIPAL CORPORATIONS,

STATUTE LABOUR.

Owners of assessed property to be liable to statute labour, s. 71.

And in what proportion, *ib.*, par. 1.

Persons not otherwise liable, *ib.*, par. 2.

Exemption, *ib.*, par. 3.

How and when such labour shall be performed and under whose orders, *ib.*, par. 4.

Commutation for statute labour; when to be paid, *ib.* par. 5.

EXEMPTIONS FROM ASSESSMENT.

Public property, s. 72.

Indigent persons, *ib.* par. 2.

COLLECTION OF ASSESSMENTS; DUTIES OF SECRETARY-TREASURER,
AND OTHER OFFICERS IN RELATION THERETO.

Assessments to be payable either by owner or occupant, s. 73.

Recourse of occupant against owner, *ib.* par. 2.

To be subrogated in rights of municipality, *ib.* par. 3.

Only one year's arrear of labour recoverable, *ib.* par. 4.

Secretary-treasurers of local councils to be collectors, s. 74.

May be sued to render account, and how, *ib.* par. 2.

Judgment in such case; interest at 12 per cent; evidence, *ib.*

Secretary-treasurer to make collection roll, (Form G, G). contents: *ib.* par. 3. Proviso, as to year when new valuation is made, *ib.* par. 3.

Special collectors roll to be made in certain cases, *ib.* par. 4.

Pars. 5 and 6 are repealed by 19, 20 V. c. 101, s. 25, and other provisions substituted.

Surplus of proceeds of distress to be returned to owner; as to claim to same by contending parties, *ib.* par. 7.

Notice of sale, *ib.* par. 8. (Form I I).

When sums to be raised for county purposes, secretary-treasurer to fix the amount to be paid by each local municipality, *ib.*, par. 9. (Form J J).

To be guided by valuation-rolls, *ib.*

Returns of dues on collection rolls, when and by whom to be made; what to contain, *ib.*, par. 10.

County sec. treasurer to prepare list of lands on which taxes, &c., are not paid; notice, how published, *ib.*, par. 11. (Form L L).

Further notice of sale, *ib.*

Sale, unless taxes are paid with costs and penalty, *ib.*, par. 12.

Return to sec-treasurer of county, *ib.*

Notice of sale, what to specify, *ib.* par. 13.

One notice may include all lots, *ib.*, par. 14.

Local sec. treasurer may employ assistants, *ib.*, par. 15.

SALES OF PROPERTY.

To be by public auction; no duty, &c., s. 75.

Mode of sale: in sales of real property, so much only to be sold as will pay taxes and costs; what part to be sold first, *ib.*, par. 2.

MUNICIPAL CORPORATIONS,

SALES OF PROPERTY.

- If purchaser fail to pay, re-sale when may be had, *ib.*, par. 3.
 Certificate to purchaser, *ib.*, par. 4.
 Owner may redeem within the year, paying price and 20 per cent more, *ib.*, par. 5.
 If land not redeemed, deed of sale to be given to purchaser; its effect as to lands sold before issue of patent for them, *ib.*, par. 6.

PENALTIES.

- On persons elected or appointed to office and not accepting, s. 76.
 On valuers neglecting to perform certain duties, *ib.*, par. 2.
 On members of any council, officers and justices failing to perform any duty, *ib.*, par. 3.
 On unqualified persons voting; *ib.*, par. 4.
 On inspectors of roads failing to perform any duty, *ib.*, par. 5.
 On overseers of roads, *ib.*, par. 6.
 On persons hindering execution of this Act, *ib.*, par. 7.
 On persons tearing down notices, &c., *ib.*, par. 8.

RECOVERY OF PENALTIES, TAXES, &C.

- Par. 1 of section 77 is repealed by 19, 20 V. c. 101, s. 27, and another provision substituted.*
 Costs and execution, s. 77, par. 2.
 Secretary treasurer of local municipality to be clerk of justice, *ib.*, par. 3.
 Justice issuing summons to have right to sit in preference to others, *ib.*, par. 4.
 Delay between service and summons, *ib.*, par. 5.
 Evidence, *ib.*, par. 6.
 Costs, *ib.*, par. 7.
 Limitation of suits for penalties, *ib.*, par. 8.
 Application of penalties, *ib.*

OATHS.

- By whom to be administered, s. 78.
 Person administering it to give certificate thereof, *ib.*, par. 2.

LANGUAGE OF PUBLICATION.

- Governor in council may restrict to one only, and how, s. 79.

FORMS.

- In schedules to be sufficient, s. 80.
 Interpretation of forms and proceedings under this Act, *ib.*
 Merely formal objections not to prevail if substance be not affected, *ib.*

SCHEDULES OF FORMS.

- Notice of meeting for election of councillors—Notice of meeting for election of councillors in place of those whose election has been declared void—Certificate of publication of public notice—Special notice to person appointed to preside at public meeting for election of local municipal councillors—Certificate to be annexed to special notice—

MUNICIPAL CORPORATIONS,

SCHEDULES OF FORMS.

Notice to councillor informing him of his election—Notice from president of election to warden—Appointment of a deputy county superintendent—Notice of appointment of deputy county superintendent—BY-LAWS AND REGULATIONS—County council by-law—Local council by-law—Publication of a resolution of a municipal council—Notice for a special meeting of municipal council—Notice for adjourned meeting of municipal council—Oath of office—Secretary Treasurer's surety bond—Notice of appointment of municipal officer—Notification of election of Mayor—Petition for erection of a village—Notices in relation to the erection of a village—Oath to special constables—Warrant of commitment on view—Distress warrant—Special notice as to person appointed by Governor general—Notice to perform statute labor—Notice for payment of assessment—Notice of examination of *procès-verbal*—Notice of intention to enter upon occupied land—Notice of intention to examine roads in local municipality—Notice by inspector of roads of his intention to visit overseer's section—Valuation roll—Notice of revision of valuation roll—Collection roll—Distress warrant for assessments due—Notice of sale for taxes—Certificate of secretary treasurer of county council for amount required from local council—Statement of value of assessable property—Statement of lands to be sold for taxes, and notice of sale—Form of debenture.

19, 20 V. c. 101—1856.

Lower Canada Municipal and Road Amendment Act.

INTERPRETATION.

Words "said Act" to refer always to 18 V. c. 100, s. 1.
This Act and the said Act to be considered as forming but one Act, s. 2.

NOTICES.

Secretary-treasurer or county superintendent may certify, *non obst.*, ss. 8, 9 of said act, s. 2.
Notice how to be attested, *ib.*

PROVISIONS APPLICABLE TO COUNCILS GENERALLY.

Every council to have common seal *non obst.* s. 11 of said act, s. 3.
Seal and signature of secretary-treasurer to suffice, *ib.*

APPOINTMENT OF OFFICERS.

Not to be void by reason of having been made after period fixed by said act, s. 4.

POWERS COMMON TO ALL COUNCILS.

Par. 9 of s. 15 of said act, not to affect by-laws made under Municipal Loan Fund Acts, s. 5.

PERSONS DISQUALIFIED AS MEMBERS OR OFFICERS OF MUNICIPAL COUNCILS.

Word "judge," in section 17 of said act, intended to apply only to judges of Queen's Bench, Superior and Circuit Courts and Vice-Admiralty, s. 6.

MUNICIPAL CORPORATIONS,

POWERS OF COUNTY COUNCILS.

Sittings where to be held, s. 7.

Additional powers vested in, may make by-laws—

To prohibit or restrict sale of spirituous liquors, s. 8. par. 1.

To determine on what conditions licenses shall be granted, *ib.*, par. 2.

To fix sum payable therefor, *ib.*, par. 3

For the government of tavern-keepers, &c., *ib.*, par. 4.

County Councils may amend or annul all by-laws, *procès-verbaux*, &c., made by local councils, (Town and Village Councils excepted), on appeal, s. 9.

Appeal from such by-laws, &c., how and when allowed, *ib.*, par. 2.

Special session of council how and when to be called, *ib.*

County council may amend or annul by-laws, &c., *ib.*, par. 3.

By-laws, &c., to be held homologated in certain cases, *ib.*, par. 4.

Amended by-law, &c., or judgment annulling it, to be published, *ib.*, par. 5.

By-laws of town and village councils may not be amended by County Councils, *ib.*, par. 6.

Such councils not to take part in above proceedings, *ib.*

County councils to examine local valuation rolls and when ; may amend the same, *ib.*, par. 7.

County councils may unite two or more townships to constitute a municipality in certain case and how, *ib.*, par. 8.

Councillors how and when to be elected, *ib.*

In case of annexation of township to land in another county to form a parish, such parish to be a separate municipality *non obst.*, s. 33 of said Act, *ib.*, par. 9.

COUNTY SUPERINTENDENT.

Office of, and sec. treasurer may be held by one and the same person, s. 10.

Proceedings, however, to be kept distinct, *ib.*

Certain notices to, and certificates by secretary-treasurer, under said Act, to be given to and by warden in such case, *ib.*, par 2.

POWERS OF LOCAL COUNCILS.

May recognize and make by-laws for unincorporated villages within their limits, in certain cases, s. 11.

Powers under par. 2 of s. 68 of said Act, to amend valuation-roll, extended to cases of professional incomes, &c., *ib.*, par. 2.

Sect. 23, par. 1, of said Act, amended—"within" substituted for "beyond," *ib.*, par. 3.

Par. 6 of sect. 23 repealed, ib., par. 4.

May make by-laws to prohibit sale of spirituous liquors in certain cases, *ib.*, par. 5.

REVENUE INSPECTORS.

Not to issue licenses to taverns when sale prohibited : proviso, s. 12.

MUNICIPAL CORPORATIONS,

SPECIAL POWERS OF TOWN AND VILLAGE COUNCILS.

Sect. 24, par. 7, amended—certain words struck out, s. 13.

ELECTION OF COUNCILLORS.

From whom may be chosen, s. 14.

Property qualification reduced to £100, *ib.*, par. 2.

NUMBER OF LOCAL COUNCILLORS.

To be seven instead of five, sec. 29 of said Act, amended, s. 15.

ERECTION OF TOWNS AND VILLAGES.

Town municipality must contain 3000 inhabitants, s. 16.

Governor may proclaim such incorporated village containing requisite number of inhabitants a town municipality, *ib.* par. 2.

Councils how elected—duty of warden, *ib.* par. 3.

Proclamation uniting town or village Municipality to local municipality, under section 34 of said act, when to take effect, *ib.*, par. 4.

In case of separation, town and village councils may demand all papers, &c., *ib.* par. 5.

Section 34 of said act amended—“ 30 ” substituted for “ 40 ” ; and in par. 3, “ 40 ” for “ 60 ” and “ 60 ” for “ 30 ”.

APPOINTMENT BY GOVERNOR.

May be revoked by him, s. 17.

EXISTING *procès-verbaux* AND BY-LAWS.

Par. 4 of section 46 of said act, repealed s. 18.

NEW *Procès-Verbaux*.

Par. 7 of section 47 of said act, repealed, s. 19.

What necessary in order that *procès-verbal* be held homologated *non obst.* par. 9 of s. 49 of said act, s. 20.

POWERS AND DUTIES OF ROAD OFFICERS.

Road officers need not give notice on entering lands *non obst.* par. 2 of s. 53 of said act, s. 21.

Inspectors may give verbal notice to overseers *non obst.* s. 55 of said act, s. 22.

Inspectors when bound to report to superintendent, *ib.*

—EXECUTION OF COUNTY WORKS.

Sect. 64 of said Act amended—Certain words struck out and others substituted, s. 23.

VALUATORS AND VALUATION.

Valuation Rolls of Local Municipalities, when to be made, s. 24.

Valuators—Term of office of, *ib.*, par. 2.

Valuators, appointment of, regulated, *ib.*, par. 3.

COLLECTION OF ASSESSMENTS.

Sect. 74, pars. 5, 6 of said Act repealed, and following provisions substituted, s. 25.

MUNICIPAL CORPORATIONS,

COLLECTION OF ASSESSMENTS.

Secretary-Treasurer to give notice of completion of collection roll and that parties to pay within 20 days *ib.*, par. 2. (Form No. 1.)

Statement including costs of service thereof, with notice to pay, to be left on persons in arrear, *ib.*, par. 3. (Form No. 2.)

If not paid in 15 days, Mayor may issue warrant of Execution against goods; No opposition to sale allowed, *ib.*, par. 4.

PENALTIES.

Provisions of s. 76 of said Act to apply to this Act, s. 26.

RECOVERY OF PENALTIES, TAXES, &c.

Sec. 77, par. 1 of said Act repealed, s. 27.

Penalties how to be recovered, *ib.*, par. 2.

Sec. 77, of said Act to be read as if par. 2 of this section had formed par. 1 thereof, *ib.*, par. 3.

Forms—No. 1—Public notice of completion of Collection Roll by Secretary-Treasurer. No. 2.—Form of statement with notice.

MUNICIPAL COUNCILS,

See Municipal Corporations—18 V. c. 100—*more especially* ss. 11 to 20, *and* ss. 23, 24, 30, 31, 34, 49, 51, and 19, 20 V. c. 101, ss. 3, 4, 8, 9, 11 and 13.

MUNICIPAL COUNCILLORS,

See Municipal Corporations—18 V. c. 100—*more especially* ss. 11, 17, 27, 28, 29, 31, 35, 36, 76—*and* 19, 20 V. c. 101, s. 14.

MUNICIPAL DEBENTURES,

18 V. c. 80—1855.

To facilitate negotiation of.

Debentures payable to bearer transferable by delivery, s. 1.

Debentures payable to any person, or to order, to be transferable by general endorsement and delivery, s. 2.

What it shall be sufficient to allege and prove in a suit upon a debenture, s. 3.

Debentures not impeachable in the hands of *bonâ fide* holder for value, without notice, s. 4.

18 V. c. 100—1855.

How and when may be issued by municipal councils, s. 15, par. 9.

See also 16 V. c. 138, and 16 V. c. 213. *And see* Municipal Corporations.

MUNICIPAL DISTRICTS,

8 V. c. 77—1845.

For ascertaining liability of.

Provincial secretary to obtain accounts from wardens and clerks of, s. 1.

What notice to be given to persons having claims upon, s. 2.

MUNICIPAL ELECTIONS,

See Municipal Corporations—18 V. c. 100—*more especially* ss. 7, 17, 26, 27, 35, 76—and 18 V. c. 18.

MUNICIPAL ELECTORS,

12 V. c. 41—1849.

To be competent witnesses in cases where rights of municipality concerned, s. 15.

See also the provisions referred to under Municipal Elections.

MUNICIPAL LOAN FUND (CONSOLIDATED),

16 V. c. 22—1852.

Fund established, s. 1.

To be under the management of receiver general, s. 2.

Municipalities may by by-law raise money on the credit of such fund for certain purposes, *ib.*

By-laws to contain certain provisions, *ib.*, pars. 2, 3.

To be published before passing, with notice of meeting, for approval, &c., *ib.*, par. 4.

Proceedings at such meeting, *ib.*, par. 5.

Poll may be demanded by six electors, *ib.*, par. 6.

May be adjourned, *ib.*, par. 7.

Close of the poll, *ib.*, par. 8.

In case of a county by-law, poll to be held in each municipality, and how, *ib.*, par. 9.

If by-law disapproved, council not to proceed therewith, *ib.*, par. 10.

If approved, then to be submitted for approval of the Governor in council, *ib.*

Information to be furnished in such cases, *ib.*, par. 11.

Governor may require further information, s. 3.

Upon the by-law being approved, receiver general may issue debentures, *ib.*, par. 1.

Debentures may be made payable in or out of the Province, and in currency or sterling, *ib.*, par. 2.

To express on the face thereof out of what fund only they are payable, *ib.*, par. 3.

To be payable according to by-law, *ib.*, par. 4.

Rate of interest not to exceed six per cent., *ib.*, par. 5.

To be for even sums, and not for less than £25, *ib.*, par. 6.

To contain conditions upon which they may be called in for payment, *ib.*, par. 7.

Debentures to be numbered, *ib.*, par. 8.

May be exchanged for others if required, *ib.*, par. 9.

To be deemed government debentures within the meaning of the Act to establish the freedom of banking, &c., *ib.*, par. 10.

Advances may be made to the (Upper Canada) fund from the Upper Canada building fund, 13, 14 V. c. 68, (1850), s. 4.

Account to be kept by receiver general with the municipality, s. 5.

Annual payments to be made by municipality at the rate of eight per cent, and such further sum as may be payable on account of the principal, *ib.*, par. 1.

MUNICIPAL LOAN FUND, (CONSOLIDATED),

In case of debentures remaining on hand with the treasurer of the municipality, coupons for interest may be taken by receiver general as money in such payments, *ib.*, par. 2.

Sinking Fund, and what it shall consist of, *ib.*, par. 3.

Certain payments may be made out of it, *ib.*, par. 4.

Securities forming part of it may be sold, *ib.*, par. 5.

Moneys to be levied by the municipality to meet the payments, s. 6.

Surplus to be applicable to next year's payments, *ib.*, par. 1.

In case of deficiency a new assessment to be made, *ib.*

Profits from the works to be paid to receiver general and credited, *ib.*, par. 2.

Proceedings for levying by rate in case funds in treasurer's hands deficient, *ib.*, par. 3.

Interest to be charged against municipality in default, *ib.*, par. 4.

Moneys to be collected as other taxes, *ib.*, par. 5.

In case amount be unpaid for three months, governor may issue his warrant to the sheriff, to levy same by rate, s. 7.

After loan obtained, municipality not to contract any further debt without consent of the governor in council until such loan is paid, s. 8.

This Act to extend to loans authorized by municipality for aiding railways, &c., s. 9. *See below.*

Interpretation clause, s. 10.

16 V. c. 123—1853.

Section 9 of former Act to apply to by-laws then passed, or being passed, s. 1.

Copy to be sent to receiver general, s. 2.

If approved by Governor in council, certain rates need not be imposed or levied, s. 3.

Debentures issued under such by-law, to be deposited with receiver general before new ones issued, s. 4.

By-law not to be affected by informality after approval by Governor in council, s. 5.

Act not to apply to loans negotiated before its passing, s. 6.

The foregoing section seem only applicable to U. C.?

Act 16 V. c. 22, to extend to loans for erecting gas and water works, or making plank or macadamized roads, s. 7.

18 V. c. 13—1854.

Act 16 V. c. 22, extended to Lower Canada, s. 1.

A Consolidated fund provided for each section of the province, not to exceed £1,500,000 sterling for each section, s. 2.

Municipalities not to pass by-laws for loans under this Act, exceeding 20 per cent on aggregate valuation of property, *ib.*

Form of debentures, s. 3.

Acts extended to loans for gas or waterworks, drainage, &c. by municipalities, s. 4.

To apply to certain loans authorized by by-laws before this Act, on certain conditions, s. 5.

MUNICIPAL OFFICERS,

See Municipal Corporations 18 V. c. 100; more especially, ss. 13, 14, 15, 21, 32, 36, 76.

MUNICIPALITIES, SCHOOL,

9 V. c. 27—1846.

- What to be considered for school purposes, s. 2.
- To elect and be subject to school commissioners, *ib.*
- Failure to elect officers or assess rate by, provided for, s. 3.
- Cities of Quebec and Montreal each to be considered one, s. 41.

12 V. c. 50—1849.

- Governor in council may alter and make new ones for school purposes, s. 1.
- Indigent, when may be exempted from assessments by superintendent, s. 5.

18 V. c. 100—1855.

- Constituted for the purposes of school acts, to continue for such purposes, s. 5.

19, 20 V. c. 14—1856.

- Certain sum appropriated yearly for indigent, s. 7.
- Superintendent may levy special assessment for payment of debts of, in certain cases, s. 10.
- Superintendent when may refuse to pay share of school fund to, s. 12.
- Superintendent how may order such share to be applied in certain cases, s. 13.
- Formed since last census, how allowed share of grant, s. 14.

MURDER,

41 G. 3, c. 9—1801—84.

- Women convicted of high or petit treason to be hanged instead of burned to death, s. 1.
- Women convicted of petit treason to be subject to same punishment as persons convicted of wilful murder, s. 2.
- But see* 4, 5 V. c. 27, ss. 2, 4.
- And to be liable to like forfeitures, s. 3. *But see* 4, 5 V. c. 24, s. 18.

52 G. 3, c. 3—1812—49.

- English act, 21 Jac. 1, repealed, s. 1.
- Trials for murder of bastards, to proceed as other trials for murder, s. 2.
- Section 3 is superseded by 4, 5 V. c. 27, s. 14.

2 V. (3) c. 9—1839—84.

- Portion of 25 G. 2, repealed, s. 1.
- Sentence of death after conviction for murder to be pronounced as in other capital cases, s. 2. *And see* 4, 5 V. c. 27, s. 4.

4, 5 V. c. 27—1841.

- Petit treason to be treated as, s. 2.
- Principal in murder to suffer death, s. 3.
- Accessories after the fact, how punishable, *ib.*
- Sentence when to be pronounced, s. 4.
- Treatment of convict in prison, s. 5.
- When the cause of death, or the death happens without the Province, s. 6.

MURDER,

But see also Bastards—Concealment of birth—Malicious injuries to the person.

MUTATION FINES, *See Lods et Ventes.*

MUTE,

A, 5 V. c. 24—1841.

Standing mute, effect of in trials for felony.

MUTUAL ASSURANCE ASSOCIATION OF FABRIQUES IN CERTAIN DIOCESES,

Incorporated, 16 V. c. 149.

Charter amended, 18 V. c. 60.

MUTUAL FIRE ASSURANCE COMPANY OF COUNTY OF MONTREAL,

For winding up affairs, 16 V. c. 59.

MUTUAL INSURANCE COMPANIES,

4 W. 4, c. 33—1834—594.

Ten Freeholders of any County may call meeting of Freeholders of County, (and of two adjoining if they think fit, *but see below 6 W. 4, c. 33, s. 3,*) to consider expediency of establishing a Fire Insurance Company,—meeting how to be called, s. 1.

Proceedings at such meeting, s. 2.

When 60 subscribers and £15,000 subscribed, to become a body corporate—name and powers, s. 3.

What property may be held, *ib.* *But see below 6 W. 4, c. 33, s. 2.*

To be only one company in any County, s. 4. *But see below 14, 15 V. c. 21, s. 1.*

Rights thereof as to insuring property within County, *ib.* *But see below 14, 15 V. c. 21, s. 3.*

Insurers to be members of Company while policy lasts, s. 5. First meeting how to be called and Directors to be named, s. 6.

Annual meeting to be held for election of Directors, *ib.* *But see below 6 W. 4, c. 33, s. 4, and 19, 20 V. c. 58, s. 6.*

Directors—duties and powers, s. 7.

Members to give their promissory notes before receiving Policy, s. 8. *And see below 19, 20 V. c. 58, s. 4.*

For what sum and when payable, *ib.* *But see below 6 W. 4 c. 33, s. 5, and 14, 15 V. c. 21, s. 4.*

Losses how to be paid and assessed; Real property of insurers to be hypothecated for amount of note, s. 9. *And see below 6 W. 4, c. 33, ss. 7, 9.*

Notice of loss by fire, when and to whom to be given, what to contain; *Experts* to be named, s. 10.

Answer to notice to be given by Director within 5 days (as to Montreal Company, *see 8 V. c. 84, s. 2,*) and *Experts* to be named if amount disputed, s. 11.

If sum offered not accepted, the two *Experts* to name a third, s. 12.

Experts to be sworn before making estimate, s. 13.

Experts, duties of; penalty in case of perjury, s. 14.

MUTUAL INSURANCE COMPANIES,

Award, copies of, to be served on claimant and secretary, s. 15.

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Proceedings when amount of loss ascertained, s. 17.

Member failing to pay his portion may be sued, *ib.* *But see below* 14, 15 V. c. 21, s. 5.

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Policies how to be issued and when void, s. 19. *But see below* 19, 20 V. c. 58, s. 3.

Articles for which no allowance to be made, s. 20.

Case of alienation of insured property provided for, s. 21.

Cases where policy void, ss. 22, 23. *But see below* 19, 20 V. c. 58, s. 1.

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Schedule A.—Form of Policy.

6 W. 4, c. 33—1836—600.

Inconsistent provisions of 4 W. 4, c. 33 repealed, s. 1.

Companies may hold real estate to value of £500, s. 2.

Companies may be formed in counties to number of five, s. 3.

New directors how to be chosen, s. 4.

Promissory notes how to be endorsed; amount thereof, s. 5.

Directors authorized to borrow money; interest how paid; lenders to have special claim on deposit notes, s. 6.

Companies not obliged to enregister policies, s. 7.

Directors how to settle losses; when may sue for dividends, s. 8.

When amount of deposit notes insufficient, sufferers to receive further sum; how assessed, s. 9.

The Acts 4, 5 V. c. 40, and 6 V. c. 18, are superseded by 14, 15 V. c. 21, s. 3.

8 V. c. 84—1845.

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What amount may be retained by directors of said company in case party burnt out has not sufficient property left to answer deposit note; unless security given, s. 3.

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Certified extracts from minutes to be *prima facie* evidence, s. 5.

14, 15 V. c. 21—1851.

When freeholders in county may establish a second insurance company; what property may be insured by it, s. 1.

Second company to have no exclusive privilege, s. 2.

Property in any county may be insured by company for another county, s. 3.

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MUTUAL INSURANCE COMPANIES,

No member to recover for losses until annual dividend paid ; proviso not to prevent company suing member in default, s. 5.

Moneys paid to form fund for payment of losses, s. 6.

How to be invested, *ib.*

4 W. 4, c. 33, and 6 W. 4, c. 33 made permanent as amended, s. 7.

19, 20 V. c. 58—1856.

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Premium notes may be signed by affixing mark before two witnesses, s. 4.

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Act not to affect pending suits or acquired rights, s. 7.

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14, 15 V. c. 126—1851.

What lights steamers and other vessels shall carry, and how placed, &c., s. 1.

How steamers and vessels shall pass each other, *ib.*

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Liability of masters and owners for contravention, s. 11.

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See Customs—Emigrants and Quarantine—Navigation Inland—Lights—Merchant Shipping—Passengers—Registration—Steamers—Steamboats—Tolls—Tonnage Dues—Vessels, and Supplement.

NAZARETH—FIEF,

18 V. c. 3—1854.

Not affected by provisions of Seignioral Tenures' Abolition Acts, s. 35.

NEEPIGON MINING COMPANY,

Incorporated, 12 V. c. 163.

NEW BRUNSWICK,

36 G. 3, c. 12—1796—174.

Felons escaping from, may be apprehended in Lower Canada, and conveyed back.

NEW CITY GAS COMPANY OF MONTREAL,

Incorporated, 10, 11 V. c. 79.

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NEW YORK, NEWFOUNDLAND AND LONDON TELE-
GRAPH COMPANY,

Privileges granted to, 18 V. c. 209.

NEWSPAPERS, PAMPLETS, &c.; PUBLICATION OF,

1 V. c. 20—1838—45.

Affidavit to be made by printer and publisher before a justice of the peace, for the district where newspapers, &c., published, s. 1.

Affidavit what to set forth, s. 2.

Where number of proprietors does *not* exceed two, s. 3.

Affidavit to be renewed when changes take place, s. 4.

Affidavit to be in writing, and signed, s. 5.

Affidavit how made, when printer, publishers and proprietors do not exceed four,—and how when exceeding that number, s. 6.

What notice to be given to persons not signing, *ib.*

Penalty £20 for neglect to give notice, *ib.*

Penalty £5 on persons publishing without such affidavit, s. 7.

When persons making affidavit liable for perjury, s. 8.

Affidavits to be kept by clerks of the peace, s. 9.

Certified copies to be received as evidence against every person named therein, in proceedings against newspapers, &c., except in certain case, *ib.*

Names and additions of printers and publishers to be printed in every newspaper, &c., s. 10.

Penalty of £20 for omitting above, *ib.*

Where newspaper produced agrees with description in affidavit, no necessity to prove purchase from defendant, s. 11.

Clerks of the peace to furnish copies of affidavits when required, s. 12.

Fee 1s: *ib.*

Certified copies to make same proof as original, s. 13.

Penalties to be recovered by action of debt—how applied, s. 14.

NEWSPAPERS,

18 V. c. 79—1855.

Published in the province to pass free by post, s. 1.

NIAGARA DISTRICT BANK,

Incorporated, 18 V. c. 204.

NICOLET,

County Registry office removed to Bécancour, 9 V. c. 57.

NORMAL SCHOOLS,

6 W. 4, c. 12—1836—521.

Act to provide for the establishment of,
(This Act is not repealed—but seems superseded by the later Acts below—the appropriations were granted only for a time long since past).

16 V. c. 74—1853.

£5000 to be paid out of Jesuits' Estates as an investment at 5 per cent for normal school at Montreal, s. 5.

19, 20 V. c. 14—1856.

Council of Public Instruction to make regulations for, s. 18, par. 2.

19, 20 V. c. 54—1856.

To establish a permanent fund for the promotion of superior education and normal schools.

Jesuits' Estates appropriated to purposes of this Act, s. 1.

Fund to be called "Lower Canada Superior Education Investment Fund," *ib.*

Revenues and interest arising from said investment fund, with unexpended balance of school fund and certain yearly grants from consolidated fund to form "Lower Canada Superior Education Income Fund," s. 2.

Governor in council may cause said estates to be sold in certain case, s. 3.

Proceeds how invested: interest thereon to form part of income fund, *ib.*

£5000 yearly to be appropriated to income fund from consolidated fund; proviso if income fund falls short of £22,000 in any year, s. 4.

Income fund how to be apportioned among colleges, &c., s. 5.

Balance remaining in any year of income fund, how may be disposed of, s. 6.

Grants out of income fund to be annual, and may be conditional, s. 7.

What Institutions not to receive grants under this Act, s. 8.

Institutions desiring grants, to apply to superintendent; with report shewing:

1. Composition of governing body.
2. List of professors, teachers and lecturers.
3. Number of pupils—ages how to be distinguished.
4. Course of instruction.
5. Annual expenses and source whence income derived.
6. Value of real estate held, if any.
7. Liabilities.
8. Number taught gratuitously.
9. Number of books, &c., and value of museum, &c., belonging to institution, s. 9.

Governor in council may set aside sum not exceeding £500 yearly, in aid of parish and township libraries, s. 10.

Libraries to be under control of superintendent, *ib.*

Normal schools—when and where to be established, to be under control of superintendent, s. 11.

Diplomas when may be granted to students at normal schools by superintendent; effect thereof, s. 12.

NORMAL SCHOOLS,

Sum not exceeding £1500 yearly, out of school fund, to be allowed to defray salaries, &c., of normal schools, s. 13.

And £1000 out of income fund to aid attendance of teachers in training at such schools, *ib.*

How if above sums insufficient, s. 14.

"Lower Canada Normal School Building Fund," how formed, s. 15.

Excess of such fund, if any, how to be disposed of, s. 16.

Act to apply to Lower Canada only; inconsistent enactments of 14, 15 V. c. 97 repealed, s. 17.

Proviso—income fund to remain chargeable with salaries of inspectors of common schools, *ib.*

£5000 yearly appropriated for encouragement of superior education in Upper Canada, s. 18.

Superintendent of schools to state in his annual report what has been done under this Act, s. 19.

Application of moneys how and when to be accounted for, s. 20.

Interpretation clause, s. 21.

NORTH AMERICAN COLONIAL ASSOCIATION OF IRELAND,

May loan monies in Beauharnois, 4, 5 V. c. 54.

Further powers to, 8 V. c. 87.

NORTH SHORE RAILWAY COMPANY,

Incorporated, 16 V. c. 100.

Amended 18 V. c. 34.

NOTARIAL DEEDS,

4 V. c. 30—1841—195

Memorial of, how made, s. 10.

Memorial of, how enregistered, s. 11.

Schedule Nos. 4, 5—Form of memorial. *And see Memorial—Registration.*

9 V. c. 26—1846.

To remove doubts as to validity of certain

Deeds, &c., executed before Notaries in Lower Canada since the Union, (*But see below 10, 11 V. c. 22, s. 1*) to be valid notwithstanding certain errors of style: and notwithstanding they have been declared invalid by any court of law, s. 1.

Mode of obtaining reversal of any such judgment, s. 2.

Act not to affect vested rights of third parties, *ib.*

Or any condemnation to pay costs, *ib.*

10, 11 V. c. 22—1847.

Notarial deeds, &c., heretofore executed in Lower Canada, to be valid notwithstanding certain errors of style, s. 1.

And notwithstanding they have been declared invalid by any court of law, *ib.*

Chose jugée not to be pleadable in such a case, *ib.*

Mode of obtaining reversal of any such judgment, s. 2.

Act not to affect rights of third parties; or any condemnation to pay costs, *ib.*

NOTARIAL DEEDS,

What sufficient style or statement of notary's quality in notarial deeds, s. 3.

13, 14 V. c. 39—1850.

How to be numbered and entered by notary, s. 7.

And see Extracts—Registration.

NOTARIAL PROFESSION, ORGANIZATION OF,

10, 11 V. c. 21—1847.

Three boards of notaries established for the several districts of Lower Canada, s. 1. *But see below* 16 V. c. 215, creating new board for Kamouraska and Gaspé.

How to be called, *ib.*

How to be composed; number of members; *quorum*, s. 2. *Sect. 3 is repealed by* 13, 14 V. c. 39, s. 1.

From whom officers to be elected, s. 4.

How may be removed, *ib.*

Sect. 5 is repealed by 13, 14 V. c. 39, s. 1.

Mode of proceeding in regard to infractions of discipline or complaints against any member of the profession, s. 6.

Meetings of boards, when and where held, s. 7.

Not to be less than three meetings annually for examination of candidates, s. 7.

One general annual meeting of notaries, *ib.* *And see below* 16 V. c. 215, s. 8.

Extraordinary general meetings how to be called, *ib.*

Meetings may be adjourned, *ib.*

Members of boards, how elected, s. 8.

Term of office three years, *ib.*

First elections when and where to be had, *ib.*

General meetings for such elections, how to be called; proceedings thereat, *ib.*

First meetings of boards; how to be called; proceedings thereat, *ib.*

Governor in council may appoint members of boards if not elected within time fixed by this act, s. 9.

Their powers and duties to be the same as if elected, *ib.*

Sections 10 to 13 are repealed by 13, 14 V. c. 39, s. 1.

Qualification to be admitted as notary, s. 14. *But see below* 16 V. c. 3.

To undergo public examination before board; *ib.* *See below* 19, 20 V. c. 56.

Certificate to be given by board, *ib.*

One month's notice to be given to secretary by candidate, *ib.*

Secretary to give public notice of day and hour of examination, *ib.* *But see* 16 V. c. 215, s. 7.

Witnesses may be summoned to testify as to morals and qualification of candidate, *ib.*

President authorized to administer oaths, *ib.*

Form of certificate to be given, *ib.*

Certificate to be registered in office of provincial registrar, *ib.*

Oath of office to be taken before judge of Queen's Bench; registration at board of notaries, s. 15. (*Provision requiring registration in prothonotary's office, not in force, See below* 13, 14 V. c. 39, s. 13).

NOTARIAL PROFESSION, ORGANIZATION OF,

- Signature to be registered and not afterwards altered, unless authorized by court and board of notaries, *ib.*
- Penalty on notaries practising without complying with requirements of this section, *ib.*
- Persons admitted to practise to register name of place where they intend to open office, under penalty (*registration in prothonotary's office not in force*), s. 16. See below 13, 14 V. c. 39, s. 13.
- Qualifications required for admission to study. Examination before board (*to be public by 12 V. c. 47 below*), s. 17. And see below 19, 20 V. c. 56.
- Candidate to produce certificate of having received classical education, *ib.* But see below 12 V. c. 47.
- Classical education, what, *ib.* See below 13, 14 V. c. 39, s. 14.
- Copy of articles to be filed in office of secretary within eight days from date (*thirty days by 12 V. c. 47*), *ib.*
- Students indentured before passing of Act not to be affected by this section, *ib.*
- Such students, how admitted to practice, *ib.*
- Copy of articles, when to be filed, *ib.* But see below 12 V. c. 47—14, 15 V. c. 20—18 V. c. 111, and 19, 20 V. c. 56.
- Provision in favor of students articulated before this Act in force, *ib.*
- All notaries in Lower Canada to register, under penalty, within six months from passing of Act, with boards of their respective districts, a declaration containing their names, dates of admission, &c. s. 18. (*registration in prothonotary's office not in force*). See below 13, 14 V. c. 39, s. 13.
- Notary removing into another district to register declaration of new place of residence, under penalty, s. 19. See below 13, 14 V. c. 39, s. 13.
- Sections 20, 21 are repealed by 13, 14 V. c. 39, s. 1.
- Suspension or removal from office, pronounced by a board against any notary, to be adjudged by court of Queen's Bench (*Superior Court*) on petition, s. 22.
- Mode of proceeding in such case, *ib.* And see below 13, 14 V. c. 39, s. 3, par. 7.
- Notary removing his residence within jurisdiction of another board, to register his certificate of admission, &c., s. 23. See below 13, 14 V. c. 39, s. 13.
- Sections 24, 25 are repealed by 13, 14 V. c. 39, s. 1.
- Provisions of 25 G. 3, c. 4, (since repealed *in toto* by 12 V. c. 46,) and all laws inconsistent with this act repealed, s. 26.
- Provision of said ordinance declaring notaries incapable of being clerks of courts to apply only to office of clerk of Queen's Bench, s. 27. See also 8 V. c. 33.
- The rest of this section is not in force. See below 16 V. c. 215, ss. 5, 6.
- False swearing to be perjury, s. 28.
- Assaulting or obstructing notary in execution of his duty to be a misdemeanor; punishment, s. 29.
- Tariff to be made by each board, s. 30.
- To be homologated by court of Queen's Bench. (*Superior Court*), *ib.*

NOTARIAL PROFESSION, ORGANIZATION OF,

Penalty for demanding higher fees, *ib.*

Penalties how recovered and applied, s. 31.

Vacancies in boards how filled up, s. 32.

Interpretation-clause, s. 33:

12 V. c. 47—1849.

Section 17 of above act amended, s. 1.

No one to be admitted as student unless he has passed an examination before board and proved by certificate or examination that he has received a classical education, *ib.*

Certificate to be annexed to articles, *ib.*

Copy of articles and of every assignment thereof to be filed in office of secretary within 30 days on pain of nullity, *ib.*

Act not to affect students indentured before 10, 11 V. c. 21.

Such students how admitted to practice, *ib.*

Articles when to be filed, *ib.* *But see below* 14, 15 V. c. 20, 18 V. c. 111, and 19, 20 V. c. 56.

13, 14 V. c. 39—1850.

Sections 3, 5, 10, 11, 12, 13, 20, 21, 24 and 25 of 10, 11 V. c. 21 repealed, s. 1.

Each board to be a corporate body; privileges;—may hold property to value of £5000 cy., *ib.*

Service of process may be made at domicile or office of secretary, *ib.*

Election of officers, s. 2.

Their powers and duties; right to vote, *ib.*

May be appointed *pro tem* in certain cases, *ib.*

Present officers to continue until after new elections under this Act, *ib.*

Boards, powers of:

1. To maintain discipline.
2. To prevent or reconcile differences; complaints and claims against notaries; damages thence arising; power of censure.
3. To grant or refuse certificate to candidates for admission to practise or study.
4. To keep records of notaries deceased, absent, &c.
5. To summon before them notaries.
6. To alter *quorum* for certain purposes; *minimum* number fixed; proviso.
7. To punish notaries and how; proviso as to manner in which sentence of suspension or removal may be pronounced; sentence to be submitted to superior court for judgment as by section 22 of 10, 11 V. c. 21; nothing herein to deprive party injured of other remedies.
8. To fix time for general meetings.
9. To make by-laws; but subject to adoption at general meeting.

Election of officers to take place every three years; re-election allowed, s. 4.

How, in case of equality of votes, *ib.*

Penalties for refusing to serve or neglecting duty, *ib.*

Board may determine by a by-law what shall be considered neglect or refusal, *ib.*

NOTARIAL PROFESSION, ORGANIZATION OF,

- Fees to be taken by secretary, s. 5.
 Common fund to be established, s. 6.
 Annual contribution to be paid by practising notaries, *ib.*
 How recovered; power of boards, *ib.*
 Additional contribution, when may be imposed, *ib.*
 Treasurer to submit annual statement to board, *ib.*
 Notaries to number deeds, &c.; enter number in margin of repertory, s. 7.
 Accessory instruments, how to be entered, *ib.*
 To keep index to minutes under penalty, *ib.*
 Penalties on notaries guilty of certain irregularities or doing certain things without authority, s. 8.
 Provision respecting keeping and preservation of notarial minutes, &c., s. 9. (*As to St. Francis, see below 18 V. c. 165.*)
 Minutes, &c., of notary deceased, absent, &c., to be deposited with board of notaries, *ib.* par. 1. *And see below, 18 V. c. 165, as to St. Francis district.*
 Secretary of board may sue for same; proceedings in such action, *ib.*
 One judge of S. C. may exercise powers of whole court, *ib.*
 Notary withdrawing from practice may deposit minutes, &c., with board, *ib.* par. 2.
 Penalty on heirs, &c., of notary deceased, interdicted, or absent from Lower Canada neglecting to make deposit, *ib.* par. 3.
 Notary returning to practice may recover possession, *ib.*
 Examination necessary after certain absence, *ib.*
 4. Duty of secretary with respect to prosecuting deposit, *ib.* par. 4.
 Rights of widow or legal representatives to part of fees, &c., received by secretary for copies, &c., *ib.*
 Copies certified and signed by secretary or deputy, to be authentic, *ib.* par. 5.
 Notaries and secretaries of boards may deliver extracts; particulars necessary to be stated therein, s. 10.
 Notifications and protests and service thereof; authority of, s. 11.
 When not signed by party, and notary not accompanied by him, *ib.*
 Notaries may sign memorials and petitions for certain purposes, *ib.*
 Appointment of notaries to visit and inspect offices, records, &c., of notaries inculpated; their duty, s. 12.
 Penalty for refusing to allow inspection, *ib.*
 Notary not required to make visit more than once in three years; fees, *ib.*
 Declarations and certificates not to be registered in office of prothonotary as required by 10, 11 V. c. 21, s. 13.
 Classical education, what, s. 14.
 14, 15 V. c. 20—1851.
 Time extended for filing articles of notarial students indentured before passing of 10, 11 V. c. 21. *And see 18 V. c. 111, s. 2, and 19, 20 V. c. 56, further extending it.*

16 V. c. 3—1852.

NOTARIAL PROFESSION, ORGANIZATION OF,

Meaning of s. 14 of 10, 11 V. c. 21, as regards clerkship of notarial students explained, s. 1.

Interruption of three months not to be fatal, s. 2.

Act to apply to all students whether before or after passing thereof, s. 3.

16 V. c. 215—1853.

Separate board established for districts of Kamouraska and Gaspé, s. 1.

Number of members ;—how elected, *ib.*

Meetings of board, where to be held, *ib.*

Quorum ; first election how to take place, s. 2.

Board to be governed by 10, 11 V. c. 21, and amending acts, s. 3.

Québec board to transmit certain minutes, &c., to Kamouraska board, after a certain time, s. 4.

Penalty for refusal or neglect ; how recovered and applied, *ib.*

Cost of transmission to be defrayed by Kamouraska board, Part of section 27 of 10, 11 V. c. 21, prohibiting notaries

from carrying on business as merchants, &c., repealed, Part of same section rendering notaries incapable of being

registrars and deputy registrars of counties, repealed, s. 6.

Section 14 of 10, 11 V. c. 21, amended as to notice of examination ; how such notice to be given, s. 7.

Annual general meetings of notaries, when to take place, s. 8.

18 V. c. 111—1855.

To provide remedy for students who have not been able to pass their examination, in consequence of there being no meeting of board for want of a *quorum*.

Time of students in such cases to count from date of execution of their articles under certain conditions, s. 1.

Delay for registration of articles of *law* (notarial ?) students fixed by 14, 15 V. c. 20, further extended, s. 2.

Public act, s. 3. *And see below* 19, 20 V. c. 56.

18 V. c. 165—1855.

Parts of 10, 11 V. c. 1, and—13, 14 V. c. 29, providing for keeping of minutes, &c., of notaries ceasing to practise in District of St. Francis by the Three Rivers board, suspended until new board be formed, s. 1.

Three Rivers board to deliver to prothonotary of superior court for St. Francis all such minutes, &c., in their possession, s. 2.

Prothonotary to have custody of minutes, &c., of notaries hereafter ceasing to practise in that district, *ib.*

To keep them safely and deliver certified copies when required, s. 3.

Such copies to be authentic, *ib.*

Fees to be taken for the same, *ib.*

19, 20 V. c. 56—1856.

Students may be examined at meeting of board nearest to expiration of articles, proviso as to special meetings, *non*

obs. 10, 11 V. c. 21, s. 1

NOTARIAL PROFESSION, ORGANIZATION OF,

Transfer of articles may be registered and deposited within 6 months after passing of act, s. 2.

NOTARIAL PROTESTS, *See* Protests.

NOTARIAL STUDENTS,

See Notarial profession, more especially 10, 11 V. c. 21—ss. 14, 17—12 V. c. 47—14, 15 V. c. 20—ss. 1, 2, 3. 16 V. c. 3—18 V. c. 111—19, 20 V. c. 56.

NOTARIES,

7 V. c. 4—1843.

Certificate of, to be presumptive evidence of protest and notice, ss. 2, 3.

8 V. c. 27—1845.

Empowered to administer oath to parties attesting memorial for registration under 4 V. c. 30, s. 1.

8 V. c. 33—1845.

Part of 25 G. 3, c. 4, repealed, s. 1. (*This Ordinance is since wholly repealed by 12 V. c. 46.*)

Notaries may act as clerks of circuit court and commissioners' courts in Lower Canada, *ib.*

Heretofore acting as such, indemnified hereby, s. 2.

10, 11 V. c. 13—1847.

Of any parish or township to assist sheriff in making list of jurors when required, s. 9.

Penalty for refusal, s. 10.

10, 11 V. c. 21—1847.

Provision of Ord. 25 G. 3, c. 4, declaring notaries incapable of holding office of clerk of any court, to apply only to courts of Q. B., s. 27.

13, 14 V. c. 19—1850.

Notarial copies of instruments passed in Lower Canada, may be received in evidence in Upper Canada, s. 2.

13, 14 V. c. 23—1850.

Fees on protesting bills, &c., s. 1.

Bank officers, not to act as notaries, s. 3.

18 V. c. 100—1855.

Income of, to be assessed for municipal purposes under Municipal and Road Act, s. 70, par. 2.

19, 20 V. c. 53—1856.

Seigniorial commissioners empowered to examine repositories of; penalty on, for refusal, s. 15.

And see Avis de Parens—Bills of Exchange—Licitations—Notarial Profession—Promissory Notes.

NOTES, PROMISSORY,

See Bills of Exchange—Promissory Notes.

NOT GUILTY,

4, 5 V. c. 24—1841.

Effect of the Plea in treason and felony, s. 14.

NOTICE,

12 V. c. 22—1849.

Three days allowed for serving notice of protest, s. 16.

None necessary of noting for non-acceptance, s. 17.

Notice of protest for non-payment to embody notice of noting, *ib.*

-12 V. c. 38—1849.

What to be given to party foreclosed, of inscription for *enquête* and hearing, s. 25.

How served when anything ordered to be done in another district or circuit, s. 99.

12 V. c. 41—1849.

To be given of inscription for hearing in matters of *certiorari*, s. 2.

14, 15 V. c. 54—1851.

One month's notice of action to be given to justices and public officers, s. 2.

Notice to state cause of action, *ib.*By whom may be given, and how served, *ib.*

16 V. c. 194—1853.

Of *enquête*, what to be given in appealable cases in circuit court, s. 9.What necessary to be given to plaintiff by *tiers saisie*, if declaration made before return day, s. 19.

16 V. c. 204—1853.

One month's notice to be given by landlord before taking possession of leased premises under law *Æde*, when such right reserved by lease.

18 V. c. 100—1855.

For municipal purposes.

Mode of giving public notice, s. 8; And of giving special notice, s. 9. *But see* 19, 20 V. c. 101, ss. 2, 10.Certificate of service, *ib.*

18 V. c. 104—1855.

Of inscription for hearing in circuit where no resident judge, how, when and what to be given, ss. 6, 7.

See Municipal Corporations for the cases requiring notice—and, generally, the subjects to which the notices relate.

NOTICES, LEGAL AND OFFICIAL,

12 V. c. 26—1849.

To be inserted in Canada Gazette instead of the Upper Canada Gazette.

NOTIFICATION,

13, 14 V. c. 39—1850.

And service thereof by notary; authority of, when not signed by party and notary not accompanied by him, s. 11.

NOTING,

12 V. c. 22—1849.

For non-acceptance how made; formalities to be observed, s. 10.

NOTING,

No notice necessary of noting for non-acceptance, s. 17.

Notice of protest for non-payment to embody notice of noting, *ib.*

Foreign bills payable or accepted in Lower Canada, subject as to persons resident therein, to provisions of this act with respect to noting, s. 30. *And see Bills.*

NUMBER AND GENDER,

12 V. c. 10—1849.

How Acts of this and future sessions shall be construed with respect to, s. 5, par. 7.

NUNS OF GENERAL HOSPITAL QUEBEC,

See Community of, &c.

O A T

OATH,

9 V. c. 38—1846.

Commissioners of inquiry concerning public matters may administer.

12 V. c. 10—1849.

What shall be intended by the word in Acts of this and future sessions, s. 5, par. 13.

13, 14 V. c. 38—1855.

Courts in Lower Canada may authorize *experts* and arbitrators to take necessary oaths before commissioners for receiving affidavits in Lower Canada or other person in any case, s. 1.

Expert, &c., may administer necessary oaths to witnesses, s. 2.

48 G. 3, c. 22 repealed so far as inconsistent with this Act, s. 3.

OATH OF ALLEGIANCE,

13, 14 V. c. 18—1850.

General form of prescribed, s. 2.

See Aliens—and the various Parties who are required to take it—more especially the various dissenting Ministers, under the names of their sects.

OATH OF OFFICE,

13, 14 V. c. 18—1850.

General form of prescribed, s. 2.

18 V. c. 100—1855.

To be taken by members of municipal councils after election, s. 11, par. 8.

Accounts to be rendered by secretary-treasurers of municipalities under oath, s. 13, par. 9.

To be administered to voters touching qualification, s. 27, par. 10.

Valuators to be sworn, s. 32.

OATH OF OFFICE,

Of one credible witness sufficient in suits for assessments or penalties, s. 77, par. 6.

May be administered by any warden, mayor or justice, s. 78, par. 1.

Certificate thereof to be granted without charge, *ib.*, par. 2.
And see the subjects to which Oaths relate.

OATHS,

2 V. (2) c. 3—1838—41.

For the suppression of unlawful oaths and societies.

Persons administering oaths binding to the commission of certain offences, or concealing such oaths, how punished, s. 1.

Person taking such oath how punished, *ib.* *But see* 6 V. c. 5, s. 4.

Compulsion not to justify, unless information given before a justice within 8 days after hindrance removed, s. 2.

Persons aiding and assisting, to be deemed principals, s. 3.

Sufficient to set forth import of oath in indictment, s. 4.

Engagement or obligation to be deemed an oath, s. 5.

What societies to be deemed unlawful, s. 6.

What persons to be deemed confederates, *ib.*

Persons convicted of unlawful confederation, how punished, s. 7. *But see* 6 V. c. 5, s. 4.

Persons permitting illegal meetings in their premises how punished, s. 8.

Act not to extend to freemasons, s. 9.

Sections 10 and 11 are effete.

OATMEAL, *See* Flour, Meal and Oatmeal.

OBSTRUCTIONS,

9 G. 4, c. 51—1829—563.

Rivers in counties of Cornwallis and Northumberland to be left free from, to enable salmon to pass up to spawn, s. 2.

How and by whom may be removed, s. 3. *See also* Fish.

6 V. c. 17—1842.

Penalty on persons causing, in rivers and rivulets in Lower Canada, by throwing in slabs, waste timber, &c., how recovered.

18 V. c. 100—1855.

Of roads, what to be deemed and by whom removed in municipalities, s. 56.

OFFENCES,

4, 5 V. c. 24—1841.

What capital, s. 20. *See also* 4, 5 V. c. 27.

General provision for punishment of felonies in cases not otherwise provided for, s. 24.—*As to misdemeanors, see* 12 V. c. 10, s. 5.

See also Capital Offences—Criminal Law—Justices of the Peace—Larceny—Malicious Injuries—Misdemeanor—*The offences by name—and Supplement.*

OFFENDERS.

Fugitive from foreign countries surrender of.
See Extradition.

OFFICERS OF COURTS,

12 V. c. 38—1849.

Certain functionaries to be considered as, s. 109.
Guilty of misconduct how punished, s. 111.

OFFICERS OF JUSTICE, (EMOLUMENTS.)

13, 14 V. c. 37—1850.

An Act to assign fixed annual salaries to certain officers of justice in Lower Canada, and to form a special fund out of the salaries, fees &c., attached to their offices.

Date of commencement of Act, s. 1.

Following public officers to cease to receive fees, &c., for their own use, s. 2.

1. Sheriff of Montreal, Quebec, Three Rivers and St. Francis.
2. Prothonotaries or clerks of superior court in the said district.
3. Clerks of circuit court in circuits of Quebec, Montreal, Three Rivers and Sherbrooke.
4. Clerks of the crown in aforesaid districts.
5. Clerks of the peace in aforesaid districts.
6. Clerk of appeals.

All salaries, fees, &c., attached to said offices to be collected as heretofore by the officers aforesaid respectively, s. 3.

The rest of this section is not in force. See below 16 V. c. 196, s. 1.

Section 4 is not in force. See below 16 V. c. 196, s. 2, and 18 V. c. 98, ss. 5, 7.

Interpretation clause, s. 5.

When two or more of said offices are held by same person, Governor may fix at one reduced sum the salaries of both offices, s. 6.

Balance to form part of special fund (*general fund created by 16 V. c. 196, s. 1.*) *ib.*

Deputies, appointment of; their powers and duties; may be appointed for special purposes, s. 7.

Public officers to continue responsible for conduct of their deputies, *ib.*

Criers and tipstiffs of Queen's Bench, superior court and circuit court in districts and circuits aforesaid, to cease to receive fees, &c., on their own account; but such fees to form part of said fund; how collected and accounted for, s. 8.

Salaries of criers and tipstiffs, s. 9. *But see below 16 V. c. 196, s. 2, and 18 V. c. 80, s. 6.*

Clerks, appointment of—remuneration of—and deputies; list to be furnished to provincial secretary, s. 10.

Officers may retain their salaries and the sums paid to deputies, &c., out of moneys by them collected, s. 11.

To be entitled to commission of 10 per cent. on balance after verification of their accounts, *ib.*

OFFICERS OF JUSTICE, (EMOLUMENTS.)

Inspector general to keep separate accounts for each district, s. 12.

Law reports, provision for compilation and publication of, s. 13.

Court houses, &c., balance of fund to be applied to repair of, s. 14.

Tax imposed upon certain persons in aid of publication of law reports; how to be recovered, s. 15.

Advocate suspended from right of practising, in default of payment within two months after judgment rendered against them, *ib.*

Tax payable for the present year, (1850), to form part of fund, but to be applied exclusively to foregoing object: Provisions as to accountability, and commission to apply to this part of fund also, s. 16.

Act not to take away from judges the right of making tariff of fees, &c., s. 17. *But see below 18 V. c. 98, s. 8.*

Query, whether any part of the 18th section in force, as other provisions are substituted by 18 V. c. 98, s. 5?

Accounts rendered under this Act to be sworn to before a judge, s. 19.

14, 15 V. c. 17—1851.

Sections 1 and 2 *not in force. See below 16 V. c. 196, ss. 1, 2.*

Allowance to prothonotary for collecting tax imposed under 12 V. c. 112, s. 13.

16 V. c. 196—1853.

All fees, &c., attached to the offices mentioned in 13, 14 V. c. 37, to form one fund, called "The Officers of Justice Fee Fund," s. 1.

Accounts to be rendered to inspector general, *ib.*

All moneys to be paid over according to his instructions, *ib.*

Salaries of officers, &c., to be paid quarterly out of said fund, s. 2.

Deficiencies in salaries granted by 13, 14 V. c. 37, to be made good, *ib.*

Surplus of fund to form part of consolidated revenue; deficiency to be made good out of the same, *ib.*

Sect. 3 *not in force. See below 18 V. c. 98, s. 5.*

Additional allowance in certain cases payable out of surplus; not to exceed certain amount, s. 4. *But see 18 V. c. 98, s. 6.*

18 V. c. 98—1855.

Payment of petit jurors, ss. 1, 2, 3.

Fees, &c., of certain judicial officers in districts of Gaspé, Kamouraska and Ottawa, and in certain circuits in Lower Canada to form part of fee fund, s. 4.

Governor empowered to assign fixed annual salaries not exceeding a certain amount in each case to certain judicial officers named in this section, to reckon from 1st January, 1855, s. 5.

Governor may modify salaries subject to same limitations, *ib.*

May add to salaries of certain officers when the same are held by two or more persons conjointly, *ib.*

OFFICERS OF JUSTICE, (EMOLUMENTS.)

Governor may diminish or increase from time to time within certain limits, salaries of high constable, criers, &c., s. 6. Inconsistent enactments of 13, 14 V. c. 37, and 16 V. c. 196, repealed; but section 3 of 14, 15 V. c. 17 not to be repealed, s. 7.

Provisions of former Acts to apply when not inconsistent, *ib.* Provision of 12 V. c. 38, s. 100, enabling judges to make tariff of fees for prothonotaries and clerks of circuit court, repealed, s. 8.

Governor in council empowered to make such tariff; existing tariff to remain in force until altered or repealed, *ib.* Application of moneys how to be accounted for, s. 9.

OFFICERS' HORSES,

3, 4 V. c. 39—1839—511.

Exempt from assessment in Quebec and Montreal.

OFFICERS, PUBLIC,—ACTIONS AGAINST,

See Justices—Prerogative Writs.

OFFICIAL CAPACITY,

16 V. c. 198—1853.

No proof required of, of persons giving certificates out of Lower Canada, s. 4.

Unless denied, proof how made in such case, s. 7.

OIL, INSPECTION OF, See Fish and Oil.

ONTARIO MARINE AND FIRE INSURANCE COMPANY,

Incorporated, 12 V. c. 166.

OPPOSITIONS,

25 G. 3, c. 2—1785—85.

Received by the sheriff, how returned by him and disposed of, s. 34.

41 G. 3, c. 7—1801—112.

Afin d'annuler, distraire or charge or servitude to be lodged with sheriff 15 days before day fixed for sale, s. 11.

Exception where due notification of claim has been given in sheriff's advertisement, *ib.*

Not to be received upon writs of *venditioni exponas*, in certain cases, *ib.*

May be converted into oppositions *afin de conserver* when not filed in time, *ib.* And see below 12 V. c. 38, ss. 70, 73, 96.

To be returned by sheriff 24 hours after lodged, s. 12.

Opposants failing to prosecute, to pay costs of plaintiff and all damages: Proviso, s. 13.

Publication not suspended by, but only sale, *ib.* And see Execution—Sheriff.

9 G. 4, c. 20—1829—191.

To ratifications of title, when and where to be filed, s. 7.

Seigniors need not file for seigniorial rights, but only for arrears of dues, s. 9.

7 V. c. 19—1843.

In commissioners' courts, how decided, s. 24.

OPPOSITIONS,

8 V. c. 42—1845.

When and how to be filed in cases of commutation of seigniorial dues under this act, s. 10. *But see* 18 V. c. 3.

12 V. c. 38—1849.

To *fi. fa. de terris* in circuit court, to be returned with writ to superior court, ss. 70, 71.

To *fi. fa. de bonis* in circuit court, where returnable and how proceeded upon, s. 73. *But see* 18 V. c. 104, s. 8.

Fiat upon, to stay proceedings, may be made by any circuit judge or by clerk, *ib.*

Need not be in any particular form, s. 87.

Afin de conserver only to be filed for rent, s. 96.

Duty of bailiff on receiving such opposition, *ib.*

12 V. c. 53—1849.

To marriages to be null and of no effect, s. 1.

6 W. 4, c. 42, repealed, s. 2.

16 V. c. 138—1853.

None allowed in cases of execution against municipalities for amount due on debentures, s. 7.

Party injured how redressed, *ib.*

18 V. c. 3—1854.

To distribution of seigniorial commutation moneys, when and where to be filed; effect and duration thereof, s. 20.

But see 18 V. c. 103, s. 1.

Who bound to file, s. 21.

Afin de charge by seignior under this Act to be of no effect, s. 31.

18 V. c. 104—1855.

To executions *de bonis* in circuit court, to be returned into circuit where cause pending, s. 8.

Who may administer oath, *ib.*

Circuit court to have jurisdiction whatever the amount, *ib.*

18 V. c. 110—1855.

To sale by forced licitation when may be filed, s. 4.

Party neglecting to file before sale, may file opposition *afin de conserver* afterwards, *ib.*

Licitation to be suspended until judgment rendered on oppositions, s. 5.

18 V. c. 112—1855.

To canonical decree erecting parish how and when to be filed, s. 6.

19, 20 V. c. 59—1856.

Afin de charge may be filed for preservation of *rentes constituées* and *vidgères* in certain case.

19, 20 V. c. 101—1856.

None allowed to sale under mayor's warrant for arrears of assessments, s. 25, par. 4.

ORCHARDS,

18 V. c. 100—1855.

Roads not to be made through, without the consent of owner, s. 52, par. 11.

ORDER, (JUSTICE'S),

14, 15 V. c. 95—1851.

When may be granted by justice *ex-parte*, without summons, s. 1.

Information for, when need not be sworn to, s. 9.

Information for proceedings at hearing, s. 13.

Form of; defendant to be served with copy of before, warrant of commitment or distress issue, s. 16.

Costs to be specified in, when awarded by justice, s. 17.

And see Justices of the Peace.

ORDINANCES,

1 V. c. 1—1838—578.

Of special council when held to commence, s. 1.

2 V. (2) c. 10—1838—578.

Certain, confirmed.

These two Ordinances expired on 1st November, 1842, but their effect still seems to remain as to Ordinances passed before that period.

ORDINANCES, Certain,

Made permanent, 3, 4 V. c. 16.

ORDNANCE,

7 V. c. 11.—1843. (VESTING ACT.)

All castles, forts, &c., and real estate for military purposes, tolls, &c., to be vested in *the principal officers of Her Majesty's Ordinance in Great Britain* in trust for Her Majesty, s. 1. *But see* 19, 20 V. c. 45, transferring the powers and certain of the property to the Principal Secretary at War, and certain other property to H. M. for Provincial purposes.

Except certain provincial property, &c., *ib.*

All land hereafter acquired to be vested in like manner, s. 2.

Public lands certified to be required for military purposes to be granted to the said *officers* and held in like manner, s. 3.

Leases or conveyances, contracts, &c., before the passing of this Act, to be valid, s. 4.

Arrears of rent at Bytown, how recoverable, s. 5.

Leaseholds convertible into freeholds on certain terms, s. 6.

Vacant lands at Bytown, not required, to be sold, s. 7.

Terms of years or less estate assigned to attend the inheritance to remain vested in the party they were assigned to s. 8.

Principal officers may convey lands, subject to trust in certain cases, *ib.*

Principal officers authorized to purchase or lease, s. 9.

Bodies politic and others may contract for sale, s. 10.

On the death, &c., of *principal officers*, the property to vest in their successors, s. 11.

Power to sell, exchange, &c., property so vested, s. 12.

Application of moneys, s. 13.

Power to enter upon and survey lands, s. 14.

Proviso as to railroads, &c., over Ordinance lands, s. 15.

Proceedings in case of owner refusing to sell, s. 16.

ORDNANCE

- Price to be fixed by a jury, *ib.*
 Appeal given, s. 17.
 Jury may assess compensation to lessees, s. 18.
 Upon compensation ascertained, lands to vest, s. 19.
 When lands may be taken without consent of owner, *ib.*
 Buildings built by the department on leased lands may be removed, s. 20.
 Compensation for lands taken without consent to remain in hands of department until the proper party shall convey, s. 21.
 Compensation for lands taken in Lower Canada from persons not having the absolute interest, how to be dealt with, s. 23.
 Where compensation less than £200, s. 24.
 Where less than £20, s. 25.
 Party in possession to be deemed lawfully so until contrary proved, s. 26.
 No enrolment of deeds to *principal officers* required, s. 27.
 Actions by *principal officers*, s. 30.
 Suits against them, s. 31.
 They may recover costs, s. 32.
 Her Majesty's rights and privileges not to be abridged, s. 33.
 Name and style of *principal officers* in deeds, s. 34.
 Authorized to give notices, make entries, &c., s. 35.
 Any two or more may act, s. 36.
 May depute their powers, *ib.*
Principal officers not to be personally responsible, s. 37.
 Act 3 V. c. 16, repealed. Repeal of former Acts, s. 38.
 Interpretation clause, s. 39.
 Schedule of certain lands vested by the foregoing Act.

8 V. c. 42—1846.

This Act applies only to certain lands at Bytown, County of Ottawa, in Upper Canada.

18 V. c. 91—1855.

- Provision for transfer of ordnance lands to provincial government, s. 1.
 Lands to be divided into three classes, s. 2. — See 19 20 V. c. 45, *below*.
 Those necessary to be occupied by H. M.'s troops, *ib.*
 Those to be retained for defence of the province, but in the hands of provincial government, *ib.*
 Those which may be sold, *ib.*
 Those in class 2, to be kept in order by the province, s. 3.
 Provision for division into the said classes, s. 4.
 Application of moneys arising therefrom, s. 5.
 Separate accounts to be kept, *ib.*

19, 20 V. c. 2—1856.

- Governor in Council may grant annuities to certain pensioners located on ordnance lands, s. 1.
 Like powers with respect to pensioners at Penetanguishene, Amherstburgh and Fort Erie, further allowance may be granted for improvements, *ib.* s. 2.
 Accounting clause, s. 3.

ORDNANCE,

19, 20 V. c. 45—1856.

Powers and authorities vested by 7 V. c. 11, in the *Principal Officers of Her Majesty's Ordinance* transferred to Her Majesty's Principal Secretary of State for the War Department, s. 1.

Lands and other real property referred to in Schedule 1 transferred to said Secretary subject to leases at present entered unto, s. 2.

Contracts, &c., heretofore entered into to continue, s. 3.

Certain powers to contract for sale or lease, granted to corporations by Act above mentioned, may be exercised in favor of said Secretary of State, s. 4.

How said Secretary shall be described in Deeds or Instruments; how such deeds may be executed, s. 5.

Lands &c., comprised in Schedule 2 to be vested in Her Majesty for the use of this Province, s. 6.

Rights and claims of parties to property referred to in preceding section not to be affected, s. 7.

Classes A B and C referred to in 18 V. c. 91, what to be deemed to include, s. 8.

18 V. c. 91, repealed with respect to property comprised in the second Schedule to this Act, s. 9.

The first Schedule;—property reserved for Military purposes. The Second Schedule;—property transferred to this Province, s. 10.

ORDNANCE SEIGNIORIES,

18 V. c. 3—1854.

Seigniorial Abolition Acts not to apply to, s. 35. *But see* Crown Seigniories.

ORFORD,

18 V. c. 100—1855.

Township of, included within the county of Compton for municipal purposes, s. 4, par. 5.

ORLEANS, ISLAND OF,

8 V. c. 28—1845.

To have a separate registry office.

9 V. c. 44—1846.

Constituted a separate registration district.

18 V. c. 100—1855.

To form a separate municipal county, s. 7.

OTTAWA,

12 V. c. 37—1849.

Terms of court of Queen's bench—crown side—when to be held in district of, s. 31.

12 V. c. 38—1849.

District of, when and on what conditions to be formed, s. 10. Circuit judges in, to have power of judges of superior court in vacation, s. 13. *But see below* 16 V. c. 194, s. 14.

14, 15 V. c. 89—1851.

Jury lists and summoning of jurors in

OTTAWA,

Sheriff to make lists in duplicate of all persons qualified to serve as jurors of the several classes, s. 5.

When and how lists to be made and renewed; duplicates, where to be deposited, pars. 2, 3, 5.

Act 10, 11 V. c. 13, and this act to apply to new districts, s. 6.

All inconsistent laws repealed, s. 7. *And see Jurors.*

16 V. c. 194—1853.

Judges of circuit court may act as Judges of superior court in district of Ottawa, s. 14.

19, 20 V. c. 55—1856.

Powers given to judges of superior court, by s. 15 of 16 V. c. 194, extended to circuit judges in district of, while exercising powers of superior court judges, s. 2.

OUT-HOUSES,

18 V. c. 100—1855.

Provision for cleansing, in towns and villages, s. 24, par. 24.

OVERSEERS OF ROADS,

13, 14 V. c. 40—1850.

To act as inspectors of fences and ditches, if surveyors sick or absent,—and to take oath s. 17.

Penalty on, for neglect of duty, s. 19.

To regulate disputes concerning labor in opening water-courses, &c., in absence of road surveyor, s. 27.

To cause weeds on high-ways to be destroyed, and when, s. 45.

18 V. c. 100—1855.

To be appointed by local councils, s. 32.

May enter upon unoccupied land to take materials for roads, s. 53, par. 2.

To accompany inspector in his monthly examination of roads, s. 55, par. 4.

To receive directions from inspectors, s. 57.

Duties of, as to road works, *ib.* par. 2.

Penalty on persons refusing to obey, s. 58.

Liable for damage caused by non-performance of work, *ib.* par. 5.

May complete unperformed work and recover expense, and 20 per cent. damages from persons liable, s. 60.

To report to inspector all labor and materials due and in arrear, s. 62.

To regulate performance of statute labor in default of orders from inspector, s. 71, par. 4.

Penalty on, for failing to perform any duty, s. 76, par. 6.

And see Municipal Corporations.

OWNERS OF VESSELS,

See Navigation—Registration—Seamen.

OYER AND TERMINER, COURTS OF,

34 G. 3, c. 6—1794—181.

Governor may issue commissions of, during the terms of King's Bench, when necessary, s. 4.

OYER AND TERMINER, COURTS OF,

Execution of sentence of such courts, how and when suspended, s. 5. *But see* 4, 5 V. c. 24, s. 32.

2 V. (3) c. 23—1839—177.

Indictments for misdemeanors before, not to be traversed *nisi bonâ causâ*. *But see* 4, 5 V. c. 24, s. 3.

12 V. c. 37—1849.

Right of crown to issue commissions of, not to be affected by this Act, s. 42.

P A M

PAMPHLETS, &c., PUBLICATION OF, See Newspapers.

PANEL,

14, 15 V. c. 89—1851.

Special panel of petit jurors, in what cases only required, s. 3, par. 5.

Part of Ord. 27 G. 3, c. 1, as to supplying defect of panel by a *tales*, repealed, and other provisions made, pars. 7, 8, 9.

PARDON,

4, 5 V. c. 24—1841.

Sentence endured, to have the effect of, s. 21.

Free or conditional, effect of, s. 48.

14, 15 V. c. 2—1851.

Condition may be enforced, in case of commutation of sentence of death, s. 4.

12 V. c. 13—1849.

Granted to all parties concerned in the rebellion of 1837, 1838.

PARISH,

18 V. c. 100—1855.

Definition of, for municipal purposes, s. 7.

Inhabitants of each, to be incorporated, s. 10, par. 2.

To be represented by a council, s. 11, par. 2.

Each to form separate municipality, s. 33.

How, when situate within two counties, *ib.*, par. 2. *But see below* 19, 20 V. c. 101, s. 9, par. 9.

How, when a town, village or township is situate within, *ib.*, par. 5.

Annexation of extra-parochial places to, how made, *ib.*, par. 6.

Provision for separating any portion in a county, when attaining a population of 300, *ib.*, par. 7.

Provision for special enumeration of such population, *ib.*, par. 8.

Every parish, or part thereof, now sending two members to county council, to be a municipality, *ib.*, par. 10.

Certain others specially named as municipalities, *ib.*, par. 11.

19, 20 V. c. 101—1856.

Provision in case of annexation of township to land in another county to form a parish, s. 9, par. 9.

PARISH,

Parish, when to form a separate municipality, *non obs.*, s. 33 of 18 V. c. 100.

And see Municipal Corporations.

PARISH, ERECTION OF, *See* Churches and Parishes.

PARKS,

18 V. c. 100—1855.

May be laid out by local municipalities, s. 23, par. 2.

PARLIAMENT, PROVINCIAL,

7 V. c. 3—1843.

Continued notwithstanding demise of the crown.

See also Constitution.

PARLIAMENT HOUSE, QUEBEC, *See* Quebec.

PARLIAMENTARY REPRESENTATION,

See Representation, Parliamentary.

PAROL, PROOF, *See* Evidence—Witnesses.

PARSONAGE HOUSES, ERECTION OF,

See Churches, Parishes, &c.

PARTAGE, ACTIONS EN,

14; 15 V. c. 60—1851.

Court may appoint *experts* or arbitrators when necessary on behalf of absentees, s. 3.

PARTITION (OF TOWNSHIP LANDS IN CERTAIN CASES),

— 10, 11 V. c. 37—1847.

Tenants in common of township lands originally granted in common by letters patent, may present petition to court of Q. B. (*now superior court*), demanding partition thereof, s. 1.

Court to have jurisdiction as in ordinary cases of partition, *ib.* After *prima facie* proof of title, &c., court may grant order calling on the co-tenants to appear and file their claims, s. 2.

Order to be posted up and published in certain manner, *ib.* (*Time for doing so altered by* 12 V. c. 61, s. 1.)

Proceedings after appearance, s. 3.

Issues of law and fact may be raised between petitioner and claimants, *ib.*

Judgment of court to be binding upon those not appearing, s. 4.

Appeal to lie to court of appeals, *ib.*

Matters in dispute may be referred to arbitrators by consent, s. 5.

Arbitrators, appointment and powers of, *ib.*

Award of two arbitrators to be final, *ib.*

Rights of party occupying a specific number of acres under title from an original grantee or by prescription, s. 6.

Act not to deprive party of benefit of prescription or other right under the common law, *ib.*

Powers of court as to costs, s. 7.

PARTITION (OF TOWNSHIP LANDS IN CERTAIN CASES),

12 V. c. 61—1849.

After *prima facie* evidence of title, &c., court may grant petitioner an order, as provided by s. 2 of above Act, s. 1. Order to be posted and published six months before time fixed for appearance of co-tenants, *ib.*

Pending proceedings taken under said Act suspended for a certain period, *ib.*

Time allowed to claimants to amend or extend their claims, &c., *ib.*

Also for parties interested to appear, plead, &c., *ib.*

Amended Act and this Act to be public, s. 3.

Inconsistent provisions of amended Act repealed, s. 4.

Interpretation Act to apply, s. 5.

12 V. c. 62—1849.

10, 11 V. c. 37, cited; any one or more co-tenants of such lands may institute actions against trespasser in their own name or names, s. 1.

Sums recovered thereby to be for benefit of all co-tenants; no judgment to be rendered until plaintiff has given security that he will account to them therefor, s. 2.

Public Act, s. 3.

PARTNERSHIPS AND UNINCORPORATED COMPANIES,
ACTIONS AGAINST,

12 V. c. 45—1849.

Commercial partnerships in Lower Canada to deliver to prothonotary of district and registrar of county, a declaration in writing, stating certain particulars, and when, s. 1.
But see below 19, 20 V. c. 52.

New declaration to be filed on any change, *ib.*

Penalty, how recovered and applied, *ib.*

Declarations to be registered and open to inspection, s. 2.

Fees, form of declaration, *ib.*

Effect of allegations thereof as regards persons signing the same or being members of partnership, s. 3.

Partner when to be deemed to have ceased as such, *ib.*

Liability of partners not signing;—how may be sued, *ib.*

Effect of act as regards right of partners against each other, *ib.*

Actions, how may be brought against partnership if no declaration be filed within 60 days after passing of act, s. 4.

How against individual partners, *ib.*

Proviso, if action be founded on written instrument, *ib.*

Service of process upon an existing partnership how may be made, *ib.*

Judgment against one partner to be executory against partnership property in certain cases, *ib.*

Interpretation clause;—act to apply to Lower Canada only, ss. 5, 6.

14, 15 V. c. 95—1851.

What sufficient description of property of partners, &c., in informations, &c., s. 4.

**PARTNERSHIPS AND UNINCORPORATED COMPANIES,
ACTIONS AGAINST,**

19, 20 V. c. 52—1856.

Act 12 V. c. 45, extended to certain other partnerships besides commercial.

PARTNERSHIP, LIMITED.

12 V. c. 75—1849.

May be formed, for mercantile, mechanical, or manufacturing business, s. 1.

Banking and Insurance excepted, *ib.*

To consist of general partners, and special partners, s. 2.

Their liability respectively, *ib.*

General partners only to transact business, s. 3.

Partners to sign a certificate containing certain particulars, s. 4.

Form and attestation of certificate, s. 5.

Certificate to be filed in *district court*, s. 6.

Partnership not valid until certificate filed, s. 7.

Penalty for any false statement in it, *ib.*

Renewals of partnerships to be also certified and filed, s. 8.

Alteration in any matter specified in original certificate to be deemed a dissolution, s. 9.

Partnership, if carried on afterwards, to be deemed a general partnership, *ib.*

Business to be conducted in the name of the general partners, s. 10.

Suits how to be brought, s. 11.

No part of sum contributed by a special partner to be withdrawn by him, s. 12.

Provision, if original capital be reduced by payment of interest or profits, s. 13.

Special partners may examine into partnership concerns, s. 14.

General partners to account to each other and to special partners, s. 15.

Other creditors of any bankrupt partnership, to rank before any special partner, s. 16.

No dissolution to take place until notified in Gazette, s. 17.

Clerk's fee on filing certificate, s. 18.

18 V. c. 14—1854.

Act 12 V. c. 75, extended to Lower Canada, s. 1.

How partnerships formed in Upper Canada under the Act, may be extended to Lower Canada, s. 2.

Such extension not to be a dissolution, s. 3.

Fees on filing certificate of extension, s. 4.

PASSENGERS, See Imp. Act 15, 16 V. c. 44, also Emigrants.

PASSES,

31 G. 3. c. 1—1791—573.

Not necessary in order to trade in Indian country, s. 3.

Governor however may restrain such trade, s. 4.

How and by whom may be granted, s. 7.

4, 5 V. c. 53—1841.

Ordinance 17 G. 3, c. 14, prohibiting persons leaving the province without a pass, repealed.

PATENT, See Letters Patent.

PATENTS, LAND, See Public Lands.

PATENTS FOR INVENTIONS, See Inventions.

PATRIOTIC FUND,

18 V. c. 82—1855.

Municipal grants in aid of, declared valid, s. 1.

Future grants to be valid, if approved by a majority of the electors, s. 2.

PAWNBROKERS,

14, 15 V. c. 82—1851.

To take a license annually under the penalty of £50, s. 1.

Duty on license, £15, s. 2.

License not to extend to more than one house, s. 3.

Who shall be deemed pawnbrokers, s. 4.

The name of each pawnbroker to be placed over his door, under the penalty of £10 a week, s. 5.

Rates of profits to be taken per month, s. 6.

When sums are lent, intermediate between any mentioned in the Act, s. 7.

Rate for part of a month, s. 9.

As to fractional sums, *ib.*

A table of the rates, &c., to be put up, s. 10.

Goods pawned to be entered in a book, s. 11.

A note or memorandum to be given to the borrower, and a duplicate affixed to the goods, *ib.*

Profits taken to be endorsed on such duplicate, *ib.*

Persons unlawfully pawning goods, how dealt with, s. 12.

Punishment for forging, &c., any note or memorandum, s. 13.

Pawnbrokers authorized to arrest suspected persons and deliver them over to the police, s. 14.

Any pawnbroker taking in pawn, goods in process of manufacture, or goods or linen entrusted to wash or make up, &c., to forfeit the sum lent, and restore the goods to the owner, s. 15.

Search warrants may be granted for goods unlawfully pawned, s. 16.

Goods found to be restored to the owner, *ib.*

Goods pawned to be delivered back to the party upon production within one year of the note and tender of the amount lent and interest, s. 17.

Proceedings in case of refusal, *ib.*

Person producing the note, to be deemed the lawful owner, unless notice to the contrary, s. 18.

Provision in case of original note being lost or mislaid, s. 19.

Goods not redeemed may be sold by auction at the end of the year, after advertisement, s. 20.

Account of sales to be entered in a book, and the pawnbroker may demand the overplus within three years, s. 21.

Penalty £10 in case of refusal, besides treble the amount of the loan, *ib.*

Pawnbrokers not to purchase goods in pawn except at public auction, s. 22.

PAWNBROKERS,

Not to take goods in pawn from persons under fifteen years of age, or intoxicated persons, *ib.*

Not to purchase, or take in pawn the note of any other pawnbroker, *ib.*

Not to employ any person under 16 to take in pledges, *ib.*

Not to take goods in pawn before 8 in the morning or after 8 in the evening, (except on Saturday evenings and the evenings preceding certain holidays,) nor on Sundays or holidays, &c., *ib.*

Satisfaction how to be made when goods sold before the year or damaged, s. 23.

Pawnbrokers to produce their books upon the order of the justice, under penalty not exceeding £10 nor less than £5, s. 24.

Prosecutions against pawnbrokers before justices, to be commenced within twelve months, s. 25.

Act to extend to the executors, &c., of pawnbroker, s. 26.

No fees to be taken by justices for summons or warrant, s. 27.

Appeal to the sessions against convictions, on security being given, s. 28.

PEACE,

10, 11 V. c. 12—1847.

For the better preservation of—*By the preamble, this Act would appear to apply only to Upper Canada though the enacting clause makes no exception.*

See Special Constables, and also Justices of the Peace—Public Meetings—Public Works, &c.

PEACE OFFICERS,

27 G. 3, c. 6—1787—180.

Militia officers and serjeants to be, in their respective parishes, s. 1.

1 G. 4, c. 15—1821—181.

Provisions of above ordinance extended to Three-Rivers. *And see Constables.*

4, 5 V. c. 27—1841.

Assault on, in the execution of their duty, how punishable, s. 25.

PEDLERS, See Hawkers and Pedlers.**PENALTIES, LIMITATION OF ACTION FOR,**

See the different subjects to which the penalties relate. And see also Limitation of actions.

PENALTIES AND FORFEITURES,

12 V. c. 10—1849.

General provision for recovery and application of, when not otherwise provided for, s. 5. par. 17.

PENITENTIARY, PROVINCIAL, (AT KINGSTON,)

4, 5 V. c. 69—1841.

To be the penitentiary for the whole province, s. 1.

PENITENTIARY, PROVINCIAL, (AT KINGSTON,)

- How Lower Canada convicts may be conveyed to it, *ib.*
 Powers of persons employed by any sheriff to convey convicts to the penitentiary, s. 2.
 14, 15 V. c. 2—1851.
- For the better management of.
 Act 9 V. c. 4, 1846, repealed, saving existing contracts, appointments, &c., s. 1.
 Purposes of, defined, s. 2.
 Who shall be sent there, *ib.*
 Property vested in the Crown, s. 3.
 Warden to have the custody, *ib.*
 Convicts to be received by the warden, s. 4.
 Sentence of death,—in case of commutation of, the condition of commutation may be enforced, *ib.*
 How convicts shall be clothed, fed and employed, s. 5.
 Proviso—as to Roman Catholics, *ib.*
 Confinement at night, &c., *ib.*
 Penitentiary limits, what included within, s. 6.
 Provision for employment of convicts, outside of, *ib.*
 Additions and improvements to be made, s. 7.
 Solitary cells, when to be used, *ib.*
 Contracts, &c., to be made by the warden, s. 8.
 He may sue and be sued, *ib.*
 Two inspectors to be appointed, s. 9.
 Their powers and duties, *ib.*
 Further powers and duties, in making rules for the government of the Penitentiary, examining and inquiring into its management, &c., s. 10.
 Further powers for enabling them efficiently to discharge their duties, s. 11.
 Duties of inspectors, in visiting the Institution, keeping minutes of proceedings, inspecting the prison and every part of it, examining the accounts, &c., s. 12.
 Reports to be made by them, and what to comprise, *ib.*
 Officers of the Institution how appointed, s. 13.
 Inspectors may suspend officers, s. 14.
 Warden may suspend certain sub-officers, *ib.*
 Warden to be the chief executive officer of, s. 15.
 His powers and duties, *ib.*
 Deputy warden, s. 16.
 His powers and duties, *ib.*
 Chaplains, and their duties, s. 17.
 Physician—his powers and duties, s. 18.
 Clerk—his duties, s. 19.
 Schoolmaster—his duties, s. 20.
 Storekeeper—his duties, s. 21.
 Clerk of the kitchen—his duties, s. 22.
 Overseers—their duties, s. 23.
 Keepers—their duties, s. 24.
 Guards—their duties, s. 25.
 Salaries of inspectors, Warden and officers, s. 26.
 What officers may not exercise other callings, *ib.*
 Certain officers to give security, s. 27.
 And take oath of office, *ib.*
 Form of oath, *ib.*

PENITENTIARY, PROVINCIAL, (AT KINGSTON,)

- Inspectors may employ an architect, s. 28.
 Plans to be prepared by inspectors, subject to the approval of the Governor in council, s. 29.
 Residence of officers in the institution may be required, *ib.*
 Visitors to be appointed, s. 30.
 Their powers and duties, *ib.*
 Expenses of penitentiary, how to be paid, s. 31.
 Provisions to be supplied by contract, s. 32.
 Arbitration in certain cases, s. 33.
 Books, &c., to be public property, s. 34.
 Vessels, Rafts, &c., not to be moored within a certain distance of, s. 35.
 Spirits not to be sold within, nor introduced without leave, s. 36.
 Penalty £10 for contravention, *ib.*
 Letters, &c., not to be brought to convicts without leave, s. 37.
 Offenders to be guilty of misdemeanor, *ib.*
 Who visitors, *ex officio*, s. 38.
 Proceedings upon death of any convict within, s. 39.
 Punishment and privations of convicts, s. 40.
 Inspectors to draw up questions to be put to convicts, on their discharge, s. 41.
 Convicts not to be discharged on Sundays, s. 42.
 To be furnished with clothing, &c., *ib.*
 Not compellable to leave during certain months in the winter, s. 43.
 Females to be kept separate, s. 44.
 Inspectors may prepare a separate system for military convicts, s. 45.
 Insane convicts to be removed to the lunatic asylum, s. 46.
 Act to remain in force three years, &c., s. 47.

19, 20 V. c. 85—1856.

The foregoing Act continued till 1st January, 1857, and to the end of the then next session.

PENSIONS, MILITIA, *See* Militia.

PENSIONS AND GRANTS, (TO PRIVATE PARTIES),

See Supplement;—and the parties by name.

PENSIONERS, MILITARY, NAVAL, &c.

14, 15 V. c. 77—1851.

- Military and naval pensioners may be enrolled as a local police force, not exceeding 500 men, s. 1.
 Pensioners so enrolled to be deemed constables and peace officers, s. 2.
 Allowance to, when on duty, s. 3.
 Exempt from other offices, and from statute labour and arrest from debt under £30, s. 4.
 Superintendent or chief of police force may be appointed a justice of the peace for any portion of the province, tho' without property qualification, s. 5.
 Members of, entitled to a free grant of 50 acres each, after five years' service, s. 6.

PENSIONERS, MILITARY, NAVAL, &c.

Officers in command to be *ex officio* justices of the peace, but not to act as such in certain cases, s. 7.

The governor authorized to issue his warrant to the mayor or chief magistrate of any town or district where pensioners are enrolled, authorizing him to call out enrolled pensioners in aid of civil power, s. 8.

This Act to continue in force five years and to the end of the then next session, s. 9.

PERES OBLATS, See Révérends Pères Oblats, &c.**PERJURY,**

12 V. c. 10—1849.

Wilful false statement on any oath or affirmation lawfully administered, to be perjury, s. 8, par. 13.

18 V. c. 92—1855.

What averments sufficient in indictment for, s. 21.

In indictments for subornation of, s. 22.

When the perjury has not been actually committed, *ib.*

What sufficient evidence of trial at which the alleged perjury was committed, s. 23.

PERSILLIER, (dit Lachapelle.) See Lachapelle.**PERSON,**

12 V. c. 10—1849.

In Acts of this and future sessions to include bodies corporate, and the heirs, executors, administrators or other legal representatives, of the person, s. 5, par. 8.

PERSON, OFFENCES AGAINST THE,

See Malicious Injuries.

Stealing from the, 4, 5 V. c. 25, s. 9.

PETIT JURORS, See Juries.**PETT SÉMINAIRE DE STE. THERÈSE DE BLAINVILLE,**

Incorporated, 8 V. c. 100.

PETIT TREASON,

4, 5 V. c. 27—1841.

To be treated as murder, s. 2.

And see Treason.

PETTY TRESPASSES,

See Justices of the Peace—Larceny—Malicious Injuries to the person, to property, &c.

PHILADELPHIA AND HURON MINING COMPANY,

Incorporated, 10, 11 V. c. 74.

PHILLIPS, R.,

Bridge over river des Prairies, 1 W. 4, c. 50.

PHYSIC AND SURGERY,

See Medical Profession—Anatomy.

PHYSICIANS AND SURGEONS,

25 G. 3, c. 2—1785—85.

Exempt from serving on juries, s. 23.

27 G. 3, c. 6—1787—180.

Exempt from serving as constables in Quebec and Montreal,
s. 2.

4 V. c. 120—1841—432.

To gaols how to be appointed, s. 15. *But see* 18 V. c. 100,
s. 19, par. 2.

18 V. c. 100—1855.

Income of, to be assessed for municipal purposes except in
cities of Montreal and Quebec and town of St. Hyacinthe,
s. 70, par. 2.PIERS, &c., JOINT STOCK COMPANIES FOR THE CONSTRUCTION OF,
See Roads, &c., joint stock companies for.

PIGS,

13, 14 V. c. 40—1850.

Penalty for allowing at large without ring, s. 14. *And see*
Animals.

PILLORY,

4, 5 V. c. 24.—1841.

Punishment of abolished, s. 31.

PILOTS FOR AND ABOVE HARBOUR OF QUEBEC,

See Corporation of, &c.

PITS AND PRECIPICES,

18 V. c. 100—1855.

Regulations concerning, may be made by all local municipal
councils, s. 23, par. 4.

PLEA OF NON-JOINDER,

10; 11 V. c. 11—1847.

Effect of, where contract prescribed as to one, s. 3.

PLEADINGS,

25 G. 3, c. 2—1785—85.

Limitation of, s. 13.

12 V. c. 38.

Delay for ; parties how foreclosed, s. 25. *But see below*
16 V. c. 194, ss. 10, 20.

Delay how enlarged ; plea may be filed within delay, s. 26.

In non-appealable cases, may either be oral or written, s. 58.

In non-appealable cases, when to be filed and how, and
when to be answered, *ib.*

In appealable cases in Circuit Court, to be in writing, s. 59.

Delay to plead, answer and reply, same as in superior court,
s. 59. *But see below* 16 V. c. 194, s. 20.Allegations in, not expressly denied, to be held admitted,
s. 85.Costs of proving allegations not admitted, to be in discretion
of court, *ib.*

Rules for construction of, s. 86.

PLEADINGS,

Court may permit amendment to agree with facts proved, *ib.*
No particular form of, required, s. 87.

12 V. c. 41—1849.

Regulated in actions against parties usurping public offices,
&c., s. 2.

14, 15 V. c. 54—1851.

General issue may be pleaded by justices and public officers,
and special matter given in evidence, s. 5.

Payment of money into court by justices and public officers,
to be specially pleaded, s. 6.

16 V. c. 194—1853.

Delay for, not to run between 10th July and 31st August,
inclusive, s. 10.

Delay for, in appealable cases Circuit Court to be five days,
s. 20.

All provisions of ss. 25 and 26 of 12 V. c. 38, to apply.

Preliminary, when to be filed, s. 21.

Not to prevent filing pleas to the merits, *ib.*

Delay to plead after preliminary plea, *ib.*

18 V. c. 108—1855.

How regulated in actions under Lessor and Lessces' Act,
ss. 12, 13. *And see* Amendment,—General issue.

POISON,

4, 5 V. c. 27—1841.

Administering with intent to commit murder, felony—death,
s. 9.

And with intent to procure abortion, to be misdemeanor,
s. 13.

12 V. c. 60—1849.

Using of strychnine, or other poison, for killing wild ani-
mals, prohibited under the penalty of £10, s. 1.

Selling arsenic or other poison without a certificate or note
from a Justice of the Peace, physician, priest or minister,
to subject the seller to a penalty not exceeding £10, s. 2.

Recovery of such penalty, s. 3.

Act limited to Lower Canada, s. 4.

14, 15 V. c. 61—1851.

Act 12 V. c. 60, extended to Upper Canada, omitting the
words *Justice of the Peace* in the second section.

POLICE, REGULATIONS OF,

57 G. 3, c. 16—1817—159.

Rules of police may be framed for Quebec, Montreal and
Three-Rivers by justices of the peace in quarter sessions,
subject to revision of courts of King's Bench, s. 1. (*Above
powers transferred to city councils of Quebec and Montreal
by 3, 4 V. cc. 35, 36, s. 43. See also 14, 15 V. c. 128,
s. 58—18 V. c. 162, s. 8, and 18 V. c. 159, s. 51.*)

Amount of fines limited, *ib.* *But see* 18 V. c. 159, s. 51, and
18 V. c. 162, s. 8.

Public notice of rules to be given, s. 2. (*This section not in
force as regards Montreal and Quebec.*)

POLICE, REGULATIONS OF,

Powers in case of refusal by any one to perform work, s. 3. *See, as to this sect., 14, 15 V. c. 128, s. 79, esta lishing Recorder's Court in Montreal, and 19, 20 V. c. 106, in Que'ec.*

Justices empowered to make rules and regulations with respect to conduct of apprentices, servants, &c., in districts of Quebec, Montreal and Three-Rivers, and mode of proceeding, ss. 6, 7. *But see as above as to the said Cities, and 12 V. c. 55 as to Country parts—and powers of Municipal Corporations.*

Sect. 9, not in force—powers transferred to city councils of Que'ec and Montreal.

Penalty on tavern-keepers allowing gambling in their houses by journeymen, servants, &c., s. 10. *But see 18 V. c. 159, s. 51 and 18 V. c. 162, s. 8, empowering city councils of Quebec and Montreal to make regulations as to gaming, ib.*

Inhabitants of any city, town, &c., to be competent witnesses, under this act, s. 11.

Appeal allowed from weekly or special sessions to quarter sessions, s. 12. *But see above as to Recorder's Courts, &c.*

Penalties how recovered and applied; may be levied by distress, s. 13. *But see above as to Montreal and Quebec. see also 12 V. c. 55, as to servants, &c., in country parts.*

Justice may award costs on summary proceedings and appeals, s. 14. *See above as to Quebec and Montreal.*

Prosecutions when to be commenced, s. 15. *See above, &c. Little if any of this act seems to be in force, if the municipal authorities exercise the powers vested in them.*

2 V. (1) c. 2—1838—163.

Police offices to be established in Quebec and Montreal, and inspectors and superintendents to be appointed by Governor; their duties, s. 1.

To hold office during pleasure, s. 1.

May act as justices of the peace without property qualification, *ib.* *But see 6 V. c. 3.*

Proviso not to act as such at quarter sessions, *ib.*

Oath of office, s. 2.

Police force to be formed under direction of civil secretary; their duties, &c., s. 3.

To be under command of inspector and superintendent, *ib.* *But see, as regards Montreal, 14, 15 V. c. 128, s. 85, empowering city council to establish and regulate a police force; and section 93, providing that said Act shall not interfere with powers, duties, &c., of persons appointed under with this Ordinance as to Quebec, see 18 V. c. 159, s. 51, par. 19, &c.*

Rules and regulations to be made by inspector and superintendent; subject to approval by civil secretary, s. 4.

Inspectors, &c., empowered to suspend or dismiss, *ib.*

Effect of dismissal, *ib.* *See as with regard to section 3.*

Penalty on victuallers, &c., harbouring policemen on duty, &c., s. 5.

Policemen on duty may apprehend idle and disorderly persons, s. 6. *And see, as regards Montreal, 18 V. c. 162, s. 15.*

Penalty for assaulting or resisting policeman on duty; conviction before two justices, s. 7. *See, as regards Montreal,*

POLICE, REGULATIONS OF,

- 14, 15 V. c. 128, s. 90, *as amended by* 18 V. c. 162, s. 16; *and as regards Quebec*, 18 V. c. 159, s. 69.
- One justice may convict loose, idle and disorderly persons on view, on confession or oath of one witness—punishment, s. 8. *But see* 7 V. c. 21, s. 1, and 9 V. c. 23; *see also, as regards Montreal*, 18 V. c. 162, s. 15, and 14, 15 V. c. 128, s. 79, *and as regards Quebec*, 19, 20 V. c. 106, *giving Recorder's Court jurisdiction over all offences against this ordinance.*
- Disorderly persons, who to be deemed; s. 9.
- Justice may grant search warrant in certain cases; how may convict in such cases, s. 10.
- Punishment, *ib.* *But see* 9 V. c. 23, *and as to Montreal*, 18 V. c. 162, s. 15.
- Overloading, &c., animals, conviction and punishment for, s. 11.
- Proceeding in case party charged with any offence under this ordinance not appearing, s. 12.
- Prosecutions when to be commenced, *ib.*
- Penalties how applied, s. 13.
- No one to be deemed an incompetent witness by reason of the application of any penalty, *ib.*
- Justices may grant time for payment and commit in default, s. 14.
- Section 15 is virtually repealed by* 7 V. c. 21, s. 2, *see also* ss. 3, 5.
- Actions against persons for things done under this ordinance, where to be laid, and when commenced, s. 16.
- One month's notice to be given, *ib.*
- Defendant may plead general issue, *ib.*
- May tender; effect thereof, *ib.*
- Costs by whom and when recoverable, *ib.*
- Expenses of police force, how defrayed, s. 17. *See as to Montreal* 14, 15 V. c. 128, s. 58, *and as to Quebec* 18, V. c. 159, s. 51, *empowering city councils to pass by-laws regulating the payment, &c., of force established under those acts.*
- Civil secretary, who to be deemed under this Ordinance, s. 18.
- The word "city," to include such county-district, as shall be appointed by proclamation, s. 19.
- (*By proclamation of 4th July, 1838, the city of Quebec includes the parishes of St. Foy, Lorcette, St. Am'ro se, Charles ourg, Beauport, St. Joseph of Point Levy and St. Jean Chrysostome, and the harbour of Quebec as designated by* 45 G. 3, c. 12.
- And by proclamation of 30th May, 1839, the city of Montreal includes countes of Montreal, Vaudreuil, Two Mountains, Terrehonne, Lachenaye, l'Assomption, Berthier, Richelieu, St. Hyacinthe, Rouville, Verchères, Cham'ly, Laprairie, Acadie and Beauharnois). This ordinance is made permanent by* 6 V. c. 14 *which repeals the ordinances* 2 V. c. 55—3, 4 V. c. 17—3, 4 V. c. 47.
- 7 V. c. 21—1843.
- Punishment of disorderly persons, s. 1. *But see* 9 V. c. 23.

POLICE, REGULATIONS OF,

Part of ordinance 2 V. (1) c. 2, depriving persons convicted of the benefit of *certiorari* and declaring that no conviction shall be void for want of form, repealed, s. 2.

Mode of proceeding in the case of persons charged as disorderly, s. 3.

Appeal to quarter sessions on security being given for payment of penalty and costs, s. 4.

Particular fact on which charge is founded to be stated in commitment; otherwise party to be discharged on application to judge of Queen's Bench, s. 5.

9 V. c. 23—1846.

Repeals part of 7 V. c. 21, permitting attachment and sale of goods of person convicted.

Justice may fine persons convicted in any sum not exceeding £5; and in default of payment may commit for period not exceeding two months.

14, 15 V. c. 95—1851.

Inspectors and superintendents of police and stipendiary magistrates to have power of two justices under this Act, (Summary Conviction), s. 29.

14, 15 V. c. 96—1851.

Also under this (Indictable Offences) Act, s. 21.

18 V. c. 100—1855.

Sections 8, 9, 10 and 11 of 2 V. (1) c. 2, as amended, to apply to every town and village municipality in Lower Canada, s. 25.

Presiding officer at municipal elections may swear in special constables and command assistance of justices and others, and may commit persons breaking the peace thereat, s. 17, par. 5.

POLICE FORCE, See Pensioners Military—Riots—&c.

POLL.—POLL-BOOK, See Elections.

POOR,

18 V. c. 100—1855.

How may be exempted from municipal assessments, s. 72, par. 2.

PORK, See Beef and Pork.

PORTEOUS, T.,

Bridge over river Ottawa, 45 G. 3, c. 14—48 G. 3, c. 10—59 G. 3, c. 38 ?

Bridge over river Jésus, 10, 11 G. 4, c. 56.

POSSESSION,

7 V. c. 22—1843.

Titles of party in, not affected by prior registration of title subsequent to his own, s. 9.

8 V. c. 27.

Title of party in, nor by prior registration of any subsequent deed creating any charge or servitude, s. 7.

POSSESSION, WRIT OF, *See* Writ of possession.

POSTAGE, *See* Newspapers—Post Office.

POST OFFICE,

25 G. 3, c. 2—1785.—85.

Officers in, exempt from serving as jurors, s. 23.

13, 14 V. c. 17—1850.

To provide for the transfer to the provincial government, and regulation of.

Act 12 V. c. 34 repealed: Saving clause as to sums due, things done, &c., s. 1.

Inland post to be under the control of the Provincial Postmaster General, and revenue to form part of provincial funds, s. 2.

Commissions, postal divisions, contracts, &c., to remain in force until altered, s. 3.

Salaries and emoluments of officers, s. 4. *But see* 18 V. c. 79.

Appointments, how made, s. 5.

Transfer of certain powers and privileges from Imperial to Provincial Postmaster General, s. 6.

Ferry-men not bound to carry over the mails, *gratis*, s. 7. *See also* 18 V. c. 8, s. 9.

Agreement with other colonies to be carried into effect, s. 8.

Pre-payment of postage optional, *ib.*

Appropriation of postage, *ib.*

As to British Packet postage, *ib.*

Franking disallowed, *ib.*

Provision for provincial postage stamps, *ib.*

Newspapers and printed books, &c., now free, to continue so, further agreement may be made with other Colonies, *ib.* *See* Newspapers.

Transport of British mails, *ib.*

Provision as to existing agreement with other B. N. A. Colonies, *ib.*

Regulations for establishing or discontinuing any post office and other matters connected with the service of the department, to be made by Governor in council, *ib.*

Penalty for unlawful conveyance of letters, not exceeding £5—exceptions, s. 9.

Letters sent contrary to this Act may be seized and taken to the nearest post office, s. 10.

Postage recoverable from the sender, in case of refusal to receive the letter or packet, s. 11.

Postmasters not bound to give change, s. 12.

General powers vested in Post Master General, s. 13.

And in the Governor in Council, *ib.*

Suits, contracts, &c., to be in name of Postmaster General, *ib.*

As to letters of soldiers and seamen, &c., s. 14.

Letters posted to be the property of party addressed, s. 15.

Stealing, embezzling, secreting or destroying any post letter, felony, and how punishable;—if money therein, imprisonment for life, s. 16.

Stealing from any letter, any money, &c., felony, imprisonment for life, *ib.*

POST OFFICE,

Stealing Post-letter bag, or Post-letters, stopping mail with intent to rob, &c., felony, and how punishable, *ib.*

Opening unlawfully any post letter bag, or taking out any letter, felony, imprisonment fourteen years, *ib.*

Receivers of any stolen letter, &c., guilty of felony, imprisonment fourteen years, *ib.*

Forging, &c., any postage stamp, &c., felony, imprisonment for life, *ib.*

What offences shall be misdemeanors, *ib.*

Opening, destroying or detaining any lost mail bag, &c., *ib.*

Stealing, destroying or detaining any printed papers, *ib.*

Wilfully obstructing the progress of any mail, *ib.*

Damaging or destroying any mail bag, *ib.*

Any mail carrier guilty of drunkenness or neglect whereby the punctual delivery of the mail is endangered, or conveying any letter, or neglecting to use due diligence in conveying the mail with speed, *ib.*

Any toll-gate keeper refusing to allow the mail to pass, *ib.*

Any wilful contravention of any regulation lawfully made under this Act, *ib.*

Soliciting any person to commit any act declared to be a felony or misdemeanor, *ib.*

Punishment of principal, or accessories, *ib.*

Offences, where to be prosecuted; property of letters how to be laid, &c., s. 17—18.

Certain provisions of the 10, 11 V. c. 31, relative to the customs and protection of officers, extended to officers of the post office department, s. 19.

Postmaster General may accept penalty without suit brought, and compromise action, &c., s. 20.

Penalties, how recoverable, s. 21.

Who may be witnesses under this act, s. 22.

Evidence against officers, as to receipt of money by them, and the balance due, s. 23.

Double the amount to be recoverable, *ib.*

Interpretation clause, s. 24.

14, 15 V. c. 71—1851.

So much of the last Act as is inconsistent with this, repealed, s. 1.

Tenders for mail service to be advertised, s. 2. *But see* 16 V. c. 8; ss. 2, 3.

Tenders and duplicate contract to be sent to Inspector-General, *ib.*

Compensation to contractors for extra services limited, s. 3.

Lowest tender with sufficient security, to be accepted, s. 4.

Abstracts of tenders to, recorded and kept, s. 5.

Any officer becoming interested in any mail contract, &c., to be dismissed, s. 6.

Tenders to be accompanied with undertaking for entering into contract with sureties, s. 7.

Contracts for less than £50 per annum, how may be entered into, s. 8.

No contract to be made with parties combining to keep back tenders, s. 9.

POST OFFICE,

- Unclaimed letters to be advertised, s. 10.
- Post master general may contract with any railroad company for conveying the mail, s. 11.
- Annual reports to be laid before parliament and what such Reports must contain, s. 12.
- Post routes may be discontinued in certain cases, s. 13.
- Branch offices may be established in cities, s. 14.
- And a penny post delivery, s. 15.
- Appointment of inspectors of post offices, and their powers and duties, s. 16. *See also* 18 V. c. 79.
- In case stamps affixed to any letter be insufficient, full postage to be charged, s. 17.
- No allowance to clerks for extra services, s. 18.
- Post masters to give bonds with sureties, s. 19.
- To render accounts and pay over balances quarterly, s. 20.
- Penalties for neglect, s. 21.
- Post masters of Quebec, Montreal, Kingston, Toronto and Hamilton to render quarterly accounts of emoluments received for boxes—and if they exceed, with the salary of the Postmaster, £400 per annum, excess to be paid for use of the province, s. 22.
- Any post master converting or loaning any public moneys, to be guilty of felony; evidence of such conversion, and how punishable, s. 23.

16 V. c. 8—1852.

- Provisions contained in former enactments inconsistent with this Act repealed, s. 1.
- In what cases only contracts for conveying the mails need be advertised, s. 2.
- In case lowest tender is excessive, Post Master General may re-advertise, s. 3.
- May allow U.-S. mails to be carried through Canada on certain conditions, s. 4.
- Such mails to be deemed H. M. mails, so far as respects criminal acts, s. 5.
- Stealing, forging or counterfeiting, &c., any key used for mail bags, &c., to be felony, s. 6.
- Postmasters may be allowed to become contractors in certain cases, s. 7.
- Letters suspected to contain contraband goods, may be detained, &c., s. 8.
- In what cases only vehicles carrying the mail shall be toll free, s. 9.

18 V. c. 79—1855.

- All provincial newspapers to be free of postage, s. 1.
- Provision as to salaries of officers; part of the 4th section of the Post Office Act, 13, 14 V. c. 17, repealed, s. 2.
- The 16th section of 14, 15 V. c. 71, repealed, as to limitation of the number of inspectors, s. 3.
- All letters, &c., from or to the governor, or any public department at the seat of government, to be postage free, s. 4.
- And all letters, &c., to or by the speaker or chief clerk of Legislative Council and Assembly, and members during session, s. 5.

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Also, all public documents and printed papers sent by the Speaker or Chief Clerk to members during the recess, s. 6.
 And all papers printed by order of the legislature, and sent by members during the recess, s. 7.
 Inconsistent enactments repealed, s. 8.
 Act to commence on the 1st July, 1855, s. 9.

POT AND PEARL ASHES, *See* Ashes.

POULTRY, *See* Animals.

POUNDS,

13, 14 V. c. 40—1850.

Duty of pound keepers with respect to delivery of animals in his charge, penalty, s. 15.

18 V. c. 100—1857.

Establishment of, by local municipal councils, s. 23, par. 3.
 Damages payable by owners of animals impounded, fees to pound keepers, *ib.*

Appointment of pound keepers, s. 32. *See also* Animals—Trespass.

PRACTICE, *See* Rules of practice.

PREAMBLE,

12 V. c. 16—1849.

In Acts of this or any future session to form part of the Act, &c., s. 5, par. 23.

PREROGATIVE WRITS AND CORPORATE RIGHTS,

12 V. c. 41—1849.

Proceedings regulated.

Persons usurping or unlawfully exercising public or corporate offices in Lower Canada, how proceeded against, s. 1.
 Defendant how to plead, and when, s. 2.

Evidence in rebuttal when may be adduced by plaintiff, s. 3.
 Defendant may confess or either party may demur to pleadings, &c., *ib.*

Or court or judge may enlarge time to plead, &c., *ib.*

Default by defendant, and proceeding in such case, s. 5.

Petition may contain averments as to person rightfully entitled to office or franchise in question and judgment given on such petition, s. 6.

Effect of judgment in favor of person so named in petition, s. 7.

Refusal or neglect of defendant to be a misdemeanor, *ib.*

And successful party may be put in possession, *ib.*

Proceedings against persons illegally acting as a corporation, s. 8.

And against corporations, &c., offending act of incorporation, or otherwise forfeiting charter, *ib.*

Or exercising franchise or privilege not belonging to them, *ib.*

Attorney General, if satisfied as to proof, or on security for costs being given, may proceed by information on petition before superior court or two judges in vacation, *ib.*

Summons, how to be issued, *ib.*

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Subsequent proceedings similar to those provided in case of persons usurping public office, &c., *ib.*

Judgment in such case, *ib.*

What judgment to be rendered against person usurping public office, &c., s. 9.

Fine, to whom to be paid, if imposed; costs, *ib.*

Judgment against corporation, &c., in case of forfeiture of corporate rights, &c., s. 10.

Curator to be appointed to property of such corporation, &c.; his powers and duties, *ib.*

Inventory to be made and personal property disposed of, *ib.*

Proceeds, how to be disposed of, *ib.*

Notice to be given previously to creditors, *ib.*

Immoveable property, how may be discussed and proceeds distributed, &c., if debts remain, *ib.*

How sale to be made if there be no debts, *ib.*

Sales by curator to have effect of *decret forcé*, *ib.*

Costs awarded, how levied, *ib.*

Provision in case of corporation, &c., refusing or neglecting to make an election, s. 11.

Or to receive any member duly elected, or removed without cause, *ib.*

Or in case of officer of any corporation or, *ib.*

Inferior court refusing or neglecting to perform any duty, or their representatives as such, *ib.*

In all such cases, and in all cases where a writ of *mandamus* will lie in England, superior court or two judges in vacation (*but see below* 13, 14 V. c. 36, s. 1.) may grant such writ on application of any person interested, *ib.*

Application for *mandamus*, how to be made; cause may be shewn against it by defendant, s. 12.

Return of writ how to be made, *ib.*

Proceeding to be as in case of usurpation of public office, *ib.*

How judgment to be rendered, court may issue peremptory mandate to defendant; punishment for disobedience thereto, s. 13.

No corporation, &c., to be deemed dissolved in consequence of non-election of its officers, &c., or disabled from electing them for the future, s. 14.

Superior court or two judges in vacation, (*but see below* 13, 14 V. c. 36, s. 1.) may issue *mandamus* requiring election, or cause to the contrary shewn, *ib.*

Proceedings on application for *mandamus*, *ib.*

Notice of election and mode of conducting it, *ib.*

Powers of officers thus elected to be the same as if elected in usual manner, *ib.*

Number of persons necessary to vote at such election, who may preside, *ib.*

Officer in possession to hold office in certain cases, until successor be elected under this act, *ib.*

Persons entitled to vote as electors in any municipal corporation to be competent witnesses, s. 15.

No *alias* writ need be issued, s. 16.

Rules and orders of court after first writ to be made by interlocutory or final judgment as in ordinary cases, *ib.*

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What shall be sufficient proof of service of any writ, &c., under this Act, *ib.*

No security for costs to be given by party applying for writ, *ib.*

Sect. 16 is repealed so far as regards mode of applying for and issuing writs of certiorari and proceedings thereon, by 13, 14 V. c. 36, s. 2, ib.

Writs of Error and Appeal by whom may be brought, ss. 17, 18.

Writs of *scire facias* for annulling letters patent how to issue, and on what grounds, s. 19.

Proceedings to be same as in ordinary suits, *ib.*

Sect. 20 is repealed by 16 V. c. 199, s. 1.

Inconsistent enactments repealed, s. 21.

Commencement of Act, s. 22.

13, 14 V. c. 36—1850.

Powers vested in any two judges of superior court in vacation by sections 1, 11, 12 and 14 of 12 V. c. 41, to be exercised by one judge except in districts of Quebec and Montreal, s. 1.

Provisions of section 16 and any other section of said Act relating to mode of applying for and issuing writs of *certiorari*, and proceedings thereon, repealed, s. 2.

Proviso, that part of section relating to security for costs, alias writs, orders, services, &c., to remain in force, *ib.*

Provisions of said Act to apply to writs of *certiorari* issued before passing of this Act, s. 3.

16 V. c. 199—1853.

Section 20, of 12 V. c. 41, repealed, s. 1.

Proviso not to affect any cause pending in appeal, *ib.*

After return of *certiorari*, either party may inscribe on roll *de droit* on giving notice, s. 2.

After inscription, hearing on the merits to be proceeded with as in ordinary cases, *ib.* See also *Certiorari*.

PRESBYTERIANS,

1 W. 4, c. 56—1831—625

Ministers in Montreal to keep registers of marriages, baptisms and burials according to 35 G. 3, c. 4, ss. 1 and 6, and on what conditions.

Trustees to be appointed, what land they may hold, deeds how and where registered, ss. 2 to 5.

3 W. 4, c. 28—1833—626.

In township of Hull, may keep such registers, according to law.

16 V. c. 216—1853.

Declaratory Act for the relief of the presbyterian church in Canada as regards the keeping of such registers in Lower Canada, and declaring its Ministers always to have had such right, *ib.* And See Registers.

PRESBYTERIAN SYNOD,

See Associate Presbyterian Synod, &c.

PRESCRIPTION,

10, 11 V. c. 37—1847.

Proceedings under Partition of township lands, Act not to deprive party of benefit of, s. 6.

18 V. c. 100—1855.

Any road used for ten years or upwards, to be held a public road, s. 41, par. 9.

Assessments if payable in labor, only one year's arrears to be recovered, s. 73, par. 4.

*And see Limitation of Actions—and the subjects to which the prescription or limitation refers.***PRESENTMENT,** *See Bills, 12 V. c. 22, ss. 13, 15.***PRESIDENT OF QUARTER SESSIONS,***See Quarter Sessions.***PRESIDENT, DIRECTORS AND COMPANY OF THE GORE BANK,**

Act of Upper Canada amended, 12 V. c. 169.

PRIEST, *See Clergymen.***PRIMEAU, M. A., AND A. A. TROTTIER,**

Bridge over Chateauguay river, and Plank Road from river St. Lawrence to river Chateauguay, 12 V. c. 186.

PRINTERS, *See Newspapers.***PRISON,** *See Gaol—House of Correction.***PRISONERS, (IN CIVIL CASES.)***See Bail—Debtors—Imprisonment for debt—Insolvent Debtors.***PRISONERS, (IN CRIMINAL CASES.)**

4, 5 V. c. 24—1841.

Entitled to copies of depositions, s. 12.

Upon trial, may inspect depositions, s. 13.

Plea of "not guilty" sufficient to put on trial, s. 14.

Refusing to plead, court may order "not guilty" to be entered, s. 15.

12 V. c. 10—1849.

To what gaol to be committed when not otherwise provided, s. 5, art. 21.

*See also, Criminal Law—Gaols—Habeas Corpus—House of Correction—Justices—Militia, &c.—And Supplement.***PRIVATE ACTS,**

12 V. c. 10—1849.

What Acts shall hereafter be deemed such, s. 5, par. 27.

PRIVILEGED CLAIMS,

9 G. 4, c. 20—1829—191.

Persons having, to file oppositions to ratification of title, ss. 7, 9.

To be first paid on ratification of title, s. 10.

PRIVILEGED CLAIMS,

4 V. c. 30—1841—195.

The following not to require registration :

Seven years' arrears of *cens et rentes* or seigniorial due other than *lods et rentes*—and see 8 V. c. 42—18 V. c. 3 ; seven years arrears of *rentes foncières* ; expenses of affixing seals or taking inventory when required by law ; costs of suit incurred for common benefit of creditors ; funeral expenses, and those of last sickness ; servants' wages not exceeding two years, s. 2.

Memorials of, how to be made and executed, s. 10.

Certain others to require registration, viz : those of—

Vendors ; lenders of money to purchase real estate ; co-heirs and co-partitioners for *soultic et retour* ; architects, &c., for work on buildings ; lenders of money to pay workmen, s. 31.

How and within what delay to be enregistered, s. 32. *And see* 16 V. c. 206, ss. 4, 6.To retain hypothecary character though not enregistered within the delay, *ib.*

8 V. c. 42—1845.

For seigniorial commutation moneys of what to consist, s. 2.

9 V. c. 27—1846.

Assessment for schools under this Act to be, and not to require registration, s. 36.

10, 11 V. c. 111—1847.

All existing, previous to commutation in crown seigniories, to be maintained, s. 6.

12 V. c. 38—1849.

Of lessor how preserved in case of execution, s. 96.

13, 14 V. c. 44—1850.

Assessment for erection, &c., of churches, &c., to be first privileged debt without necessity of registration, s. 5.

18 V. c. 3—1854.

Rentes constituées under this to be, without necessity of registration, s. 27.

Seignior to be maintained in, for all arrears due at time of commutation, s. 32.

18 V. c. 100—1855.

Sale of land by auction for taxes to purge the same from all privileges, &c., s. 75, par. 6. *And see* Hypothecs—Registration—and the subjects to which the claims relate.

PRIVY COUNCIL,

27 G. 3, c. 1—1787—94

Appeal to, from fines exceeding £1000 stg., how and when allowed, s. 2.

12 V. c. 37—1849.

Appeal to, when allowed, and on what conditions from court of Queen's Bench, s. 19—and the laws there referred to.

PRIVY COUNCIL,

14, 15 V. c. 88—1851.

Exemplification of judgment of, when to be registered by clerk of appeals, s. 8.

PROBATE OF WILLS,

41 G. 3, c. 4—1801—190.

How may be made, s. 2.

12 V. c. 38—1849.

Power to receive vested in circuit court, s. 74.

May be set aside by superior court, *ib.*

16 V. c. 198—1853.

What sufficient *prima facie* evidence of, s. 2.

Probate under seal of court, to be proof also of testators' death *b.*

May be recorded in superior court; in what cases certified copies shall be *prima facie* evidence, s. 5.

PROCEDURE,

See Administration of Justice—Criminal Law—Pleading &c.,—and Supplement.

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6 W. 4. c. 15—1836—152.

Of seizure to be annexed to every return by sheriff, what to contain, s. 12.

18 V. c. 100—1855.

Made under Acts prior to repeal by Municipal Act to remain in force until otherwise ordered, s. 5.

Those now in force respecting roads and bridges, to remain in force until annulled, s. 46.

Provision respecting apportionment of work under the same, *ib.* *Par. 4 of this section is repealed by* 19, 20 V. c. 101, s. 18.

For any proposed road, &c., how to be drawn up and what to determine, s. 47. *Par. 7 is repealed by* 19, 20 V. c. 101, s. 19.

What may be ordered by such, s. 48.

Where to be deposited, and how and by whom revised and homologated—(*but see* 19, 20 V. c. 101, s. 20)—to be made in duplicate, s. 49.

Money may be raised by assessment for roads and bridges *non. obs.*, and how, s. 50.

How affected by by-laws of local municipality ordering roads to be made by assessment and statute labor, s. 51.

19, 20 V. c. 101—1856.

Of local councils (town and village excepted), how may be annulled or amended by county councils, s. 9.

See also Agriculture (abuses)—Surveyors—and the subjects to which the *procès-verbaux* relate.

PROCLAMATIONS,

43 G. 3, c. 4—1803—157.

Ministers, &c., to read publicly; after divine service, when thereto required by Governor, s. 1.

PROCTORS, *See* Bar.

PROFANATION OF THE SABBATH, *See* Sunday.

PROMISE OF MARRIAGE,

12 V. c. 53—1849.

Oppositions to marriage, founded on, abolished.

PROMISSORY NOTES,

18 V. c. 10—1854.

When the last day of grace is a Sunday or holiday, note to be payable the day after, s. 1.

See also, Bills of Exchange—

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PROPERTY, MALICIOUS INJURIES TO,

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PROSTITUTES,

2 V. (1) c. 2—1839—163.

Dealt with as disorderly persons, s. 9.

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14, 15 V. c. 62—1851.

Protests made since passing of 12 V. c. 22, presumed to have been made in the afternoon of day of date thereof though not so stated, s. 1.

13, 14 V. c. 39—1850.

Authority of notarial protests when not signed by party and notary not accompanied by him, s. 11.

See Bills of Exchange—*more especially* sections 9 to 12, 14, 16, 17 to 20, 29, 30, of 12 V. c. 22, and 13, 14 V. c. 23, ss. 2, 3, 4, 6.

PROTESTANTS,

2 V. (3) c. 29—601.

Exempt from assessment for Roman Catholic churches, s. 17.

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PROTHONOTARY,

12 V. c. 37—1849.

May be clerk of the crown, s. 30.

12 V. c. 38—1849.

Appointment, powers and duties of, s. 12.

To administer oaths in certain cases, s. 19.

May issue process to summon witnesses, s. 30.

Not to practice at the bar while such, s. 103.

Security to be given by, regulated, s. 104.

To examine security given by bailiffs, s. 108.

12 V. c. 44—1849.

Actions for fees by, prescribed by 3 years, s. 1.

Prescription from what date to run, *ib.*

13, 14 V. c. 37—1850.

Of superior court in district of Montreal, Quebec, Three-Rivers and St. Francis, to cease to receive fees for their

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16 V. c. 194—1853.

Enquêtes ex parte how taken before, s. 8.

18 V. c. 106—1855.

To publish every January list of unadjudged balances arising from sale of hypothecated lands, where owners unknown, s. 13.

19, 20 V. c. 55—1856.

To perform duties of judge S. C. out of term, in districts other than Quebec and Montreal, where there is no president of quarter sessions, in case of absence of such judge, s. 3:

And see Officers of Justice.

PROVIDENT SOCIETIES, *See* Associations, Provident.

PROVIDENT LIFE INSURANCE AND INVESTMENT COMPANY,

Incorporated, 18 V. c. 211.

PROVINCIAL MUTUAL AND GENERAL INSURANCE COMPANY,

Incorporated, 12 V. c. 167.

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PROVINCIAL PARLIAMENT,

7 V. c. 3—1843

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18 V. c. 78—1855.

Board of audit may be constituted, s. 1.

Of whom to consist, s. 2.

Salary of Auditor, &c., s. 3.

Duties of inspector general with regard to, s. 4.

To keep an appropriation book and what it shall shew, *ib.*

Duties of commissioners of customs, s. 5.

Duties of the auditor, s. 6.

What accounts he shall examine, *ib.*

To keep register of bank notes, examine returns of savings banks, &c., *ib.*

Further revision of all accounts by board of audit, s. 7.

Board to examine and cancel land scrip and debentures, s. 8.

Public moneys, how to be paid in and deposited, s. 9.

Deposit of moneys by customs or excise officers, s. 10.

To be placed to credit of receiver general, *ib.*

Books to be always ready for inspection, *ib.*

Public moneys to be paid out only on the warrant of the governor in council, on checks signed by receiver general and countersigned by inspector, &c., s. 11.

Institutions wholly supported by public grants to render quarterly accounts, s. 12.

PUBLIC ACCOUNTS,

Superintendents of common schools to report yearly on or before the 30th January, s. 13.

All other institutions, on or before 15th January, *ib.*

What such reports shall contain, *ib.*

Treasurers^d of municipalities indebted to municipal loan fund to make yearly returns of taxable property, debts, &c., of such municipality, s. 14.

Penalty for neglecting to transmit such accounts, s. 15.

Notification to persons neglecting to pay over money received for public purposes, s. 16.

Proceedings in case of non-compliance, s. 17.

Defendant liable to costs, *ib.*

Proceedings^o against persons transmitting accounts without sufficient vouchers, s. 18.

Defendant liable to costs, *ib.*

Persons employed to collect public moneys to be responsible for losses in case of malfeasance, gross neglect, &c., s. 19.

Unapplied public money to be re-paid to receiver general, s. 20.

Board of audit may examine persons on oath, s. 21.

Witnesses may be called from any part of the province, *ib.*

Subpœnas may be obtained from the superior courts, s. 22.

Board may appoint commissioners to take evidence, s. 23.

Penalty £20 on witnesses refusing to obey subpœna, s. 24.

Act not to impair any remedy under the 8 V. c. 4, (Revenue management,) or any other law, s. 25.

• See *also* Public debt—Finance—Customs—Revenue, &c., and Supplement.

PUBLIC ACT,

12 V. c. 10—1849.

What shall be held to be one, s. 5, par. 27.

PUBLIC AND PRIVATE SECURITIES, (STEALING OF),

See Larceny.

PUBLIC DEBT, ACCOUNTS AND PROPERTY,

12 V. c. 5—1849.

Act for the better management of,

Provision for redemption of outstanding debentures, by issue of new ones, s. 1.

Debentures may be made payable in sterling or currency, *ib.*

Rate of interest discretionary, but not to exceed the legal rate, *ib.*

Public debt not to be increased thereby, *ib.*

Provision for the issue of debentures under £10, s. 2.

Indemnity clause for past issue, s. 3.

Terminable annuities may be granted, s. 4.

Except £20,000 the net revenue of public works to go to the Sinking Fund, s. 5.

Provision for further contributions to and investment of sinking fund, *ib.*

Governor in council to make regulations for management of the public debt and payment of interest, &c., s. 6.

PUBLIC DEBT, ACCOUNTS AND PROPERTY,

- May appoint one or more fiscal agents in London, *ib.*
- Provision for temporary loans to meet any deficiency in the annual revenue, s. 7.
- Amount charged on the consolidated revenue fund for permanent works to be ascertained, s. 8.
- Debentures to be issued for the amount, *ib.*
- Public accounts to be kept by double entry, s. 9.
- Accounts for "Losses" to be opened, and how debited, s. 10.
- Certain balances to be transferred, s. 11.
- Governor in council authorized to arrange for the transfer of public works to certain local authorities, s. 12.
- Transfer to be effected by order in council, s. 13.
- Accounting clause, s. 14.
- See also, Public Accounts—Finance—Customs—Revenue, &c., and Supplement.*

PUBLIC HEALTH,

12 V. c. 8—1849.

- Act for the preservation of, in certain emergencies.
- This Act to come in force by proclamation in case of sudden emergency, s. 1.
- Certain parts of an Act in force on by in U. C. to be suspended in localities affected by such proclamation, s. 2.
- Governor authorized to appoint a central board of health, s. 3.
- Local boards to be appointed by municipalities, s. 4.
- In case of neglect, the Governor may appoint such boards, *ib.*
- Central board authorized to issue regulations, s. 5.
- Members of local boards to be health officers; their powers as such, s. 6.
- Expenses of central boards to be paid by the province, s. 7.
- Expenses of local boards, by the localities, *ib.*
- Regulations of the central board to be sanctioned by the Governor, and published in the Canada Gazette, s. 8.
- Local by-laws on the subject of health to be suspended while such regulations in force, s. 9.
- Penalty on persons obstructing the execution of, or contravening this Act, &c., s. 10.
- Certiorari* taken away, s. 11.
- Interpretation clause, s. 12—*See also* Contagious diseases—Quarantine—&c.

18 V. c. 100—1855.

- Boards of, how may be established in Municipalities by Town and Village Councils, s. 24, par. 23,

PUBLIC HOUSES, *See* Taverns.

PUBLIC LANDS,

16 V. c. 159—1853.

- Acts 4, 5 V. c. 100, and 12 V. c. 31, and all other inconsistent laws repealed.
- Free grants limited, s. 2.
- Claims arising out of repealed Acts, to be determined by Governor in Council, s. 3.
- Price of lands to be fixed by Governor in Council, s. 4.
- Purchase by government agents prohibited, s. 5.

PUBLIC LANDS,

- Licenses of occupation may be granted upon certain terms, s. 6.
- Commissioner of Crown lands to keep a register of assignments of claims, s. 7.
- Registration to extend to former assignments, s. 8.
- Free grants may be made to settlers in vicinity of certain new roads, s. 9.
- Lands may be set apart for markets, gaols, &c., not exceeding ten acres, s. 10.
- Licenses revocable in case of fraud, or breach of condition, s. 11.
- Mode of obtaining possession after revocation, s. 12.
- Lands declared forfeited may be resumed by the crown, s. 13.
- A certain sum not exceeding one fourth may be reserved out of proceeds of school lands for public improvements in the county, and a sum not exceeding one fifth out of unappropriated crown lands, s. 14.
- This Act may extend to Indian lands by order in council, s. 15.
- List of crown, school, and clergy lands for sale, to be published, s. 16.
- Agents to be appointed by Governor in council, s. 17.
- Erroneous patents to be cancelled and new ones issued, s. 18.
- In cases of double grants, of same land, equivalent grant to be made to loser, s. 19.
- Free grants to be made for deficiency upon erroneous survey, s. 20.
- Court of chancery in Upper Canada, and superior court in Lower Canada may avoid patents issued in error, s. 21.
- Before whom affidavits under this Act may be made, s. 22.
- Commissioner of crown lands and agents to give security, s. 23.
- Commissioner of crown lands to transmit annually to registrars and secretary-treasurers, lists of lands sold, s. 24.
- Governor in council may make orders to carry out this Act, s. 25.
- Upon proof given by the heir, assignee, or devisee of original nominee, and report made thereon to the governor in council, patent may issue to claimant, s. 26.
- Clergy reserve lots may be resold, released, &c., on failure by the original purchaser or lessor to fulfil conditions, s. 27.
- Land scrip may be received in payment for lands up to 1st July, 1854, s. 28.
- Licenses of occupation, &c., heretofore granted to remain in force, s. 29.
- Interpretation Act to apply to this Act, s. 30.

CUTTING TIMBER ON.

12 V. c. 30—1849.

- Commissioner of crown lands may grant licenses for cutting, s. 1.
- Form of license, and legal effect, s. 2.
- Return to be made on oath by persons licensed, s. 3.
- Timber liable to payment of duties may be followed until duties paid, s. 4.

PUBLIC LANDS,

CUTTING TIMBER ON,

The giving of bonds or notes not to affect lien on timber, s. 5.

Timber seized for payment of duties may be sold, s. 6.

Penalty on persons cutting timber without license, s. 7.

Timber alleged to have been unlawfully cut may be seized on sufficient affidavit, s. 8.

If it be mixed with other timber, *ib.*

Seizing officer may command assistance, s. 9.

Violent resistance to be felony, *ib.*

Carrying away timber under seizure to be deemed stealing, s. 10.

Timber seized to be condemned if not claimed within a certain time, s. 11.

May be given up on security being given, *ib.*

Wilful false oath, to be perjury, and timber forfeited, s. 12.

Maliciously cutting booms, &c., to be a misdemeanor, s. 13.

Existing licenses saved, s. 14.

LETTERS PATENT OF

36 G. 3, c. 3—1796—234.

Letters patent to remain of record in office of provincial secretary, s. 1. *But see* 14, 15 V. c. 16, s. 4.

Letters, how, when and where to be enrolled, s. 3. *But see below* 14, 15 V. c. 16, ss. 1 and 5.

What fees allowed, *ib.* *But see below* 57 G. 3, c. 28.

Copies of enrollment when to be evidence, *ib.* *But see below* 9 G. 4, c. 56.

Proviso, *ib.*

Copies of, to be delivered to all persons requiring them—fees, s. 4. *But see below* 57 G. 3, c. 28.

Penalty on secretary or registrar for neglect of duty, and how recovered, s. 5. *But see below* 14, 15 V. c. 16.

57 G. 3, c. 28—1817—236.

36 G. 3, c. 3 repealed so far as fees concerned, s. 1.

What fees to be received in lieu thereof, *ib.* *But see* 14, 15 V. c. 16, s. 1.

9 G. 4, c. 56—1829—236.

Sect. 2, of 36 G. 3, c. 3, repealed, s. 1.

Certified copies of letters patent to be authentic, s. 2.

4 V. c. 30—1841.

Not to require registration under registry ordinance, s. 4. *But see below* 14, 15 V. c. 16, s. 2.

14, 15 V. c. 16—1851—195.

Original patent to be delivered to grantee and copy to be recorded by provincial registrar, s. 1.

Enrollment under 36 G. 3, c. 3 dispensed with, *ib.*

Letters patent to be enregistered and transmitted to grantee with least possible delay, s. 2.

Certified copies from registers to be authentic, s. 3.

Custody of, transferred from provincial secretary to registrar, s. 4.

Inconsistent portions of 36 G. 3, c. 3 repealed, s. 5.

PUBLIC LANDS,

LETTERS PATENT OF,

Errors in, how corrected, s. 6.

PATENT FEES.

14, 15 V. c. 56—1851.

Time for payment of certain patent fees, extended to 1st August, 1852, s. 1.

But the Governor may extend the term by proclamation, *ib.*

In default of payment, &c., locations to be cancelled, s. 2.

Locations mentioned in list of 4th April, 1839, not to be restored, s. 3.

LAND SCRIP.

13, 14 V. c. 16—1850.

Not to be redeemed after twelve months. *But see below.*

16 V. c. 159—1853.

May be received in payment for lands up to 1st July, 1854, s. 28.

PUBLIC MEETINGS.

7 V. c. 7—1843.

All public meetings required by law or called as prescribed by the 4th sec. to be within this Act, s. 1.

Meetings called by the sheriff or mayor, upon the requisition of twelve or more freeholders, or by any two justices upon a like requisition, to be within the Act, s. 2.

Public meetings, so declared by any two justices as prescribed by the 6th sec., to be within the Act, s. 3.

Notice for calling under the 1st sec., what to contain, s. 4.

Notice of meetings under the second sec., s. 5.

Course of proceeding for bringing meetings referred to in third sec. within the Act, s. 6.

Sheriff and other public officers convening public meetings under the 2d sec. to give public notice thereof, s. 7.

Justices declaring public meeting under the third sec. within the Act, to give notice, s. 8.

Sheriff, mayor, and justices, calling public meeting under the second section to attend thereat for preserving the peace, s. 9.

Chairman at, to read the requisition, s. 10.

“ may cause order to be kept, disorderly persons to be removed, and convict disturbers on view, s. 11.

Offenders to be committed by any justice for any period not exceeding 48 hours, *ib.*

Chairman may call on justices and peace officers, to aid and assist in preserving order, s. 12.

Justices to swear in special constables on requisition of chairman, s. 13.

Persons refusing to be sworn to be guilty of misdemeanor, and subject to fine not exceeding 40s., s. 14.

Justices may disarm persons coming armed, any person refusing to deliver up offensive weapons, to be guilty of misdemeanor, and subject to a fine not exceeding 40s., s. 15.

PUBLIC MEETINGS,

Arms to be restored to the parties on the day next after the meeting, s. 16.

Persons guilty of battery within two miles of the meeting, how punishable, s. 17.

No one except sheriff, justices, &c., to approach armed within two miles of any public meeting, under pain of misdemeanor, &c., s. 18.

Persons lying in wait for persons going to or returning from public meeting, to be guilty of misdemeanor, s. 19.

Limitation of actions, s. 20.

Act to be read in quarter sessions during two years, s. 21.

Schedule.—Forms of Notice under the Act.

18 V. c. 100—1855.

For municipal purposes, how to be convened, s. 8.

When to be held for election of local municipal councillors; notice of, how given, s. 27.

PUBLIC OFFICER,

12 V. c. 10—1849.

Power to appoint to include power to remove, s. 5, par. 21.

Successor included in any provision applied to a public officer by his name of office, *ib.*, par. 23.

PUBLIC OFFICERS,

4, 5 V. c. 91—1841.

Persons appointed to any public trust, to give security, s. 1.

Act to apply to persons holding office at its passing, s. 2.

Bonds to be filed with registrar of the province, s. 3.

Separate entries to be kept, s. 4.

Officers neglecting to give security to forfeit their offices, s. 5. *But see* 16 V. c. 87.

In case of the death, bankruptcy or insolvency, or non-residence of any surety, principal to notify secretary or head of department, and furnish other sureties, s. 6.

Neglecting to give security, to forfeit appointment, *ib.*

When neglect not wilful, governor may extend the time, s. 7. *See* 16 V. c. 87.

Period for registration of bonds, s. 8.

Irregularity in bonds not to vacate them, s. 9.

Bonds to be registered notwithstanding period lapsed, s. 10.

Act to apply to existing bonds, s. 11.

The 6 and 19 sects. of an Act of U. C. relating to sheriffs, repealed, s. 12.

Uniform practice established throughout the province, s. 13.

Provisions as to Bonds under the registry ordinance, s. 14.

Statement of bonds to be laid before the legislature, s. 15.

Act not to extend to municipal officers, s. 16.

Interpretation clause, s. 17.

7 V. c. 8—1843.

New commissions need not be issued at the commencement of a new reign, s. 1.

Oath of allegiance to be taken: Acts of Public Officers confirmed, *ib.*

PUBLIC OFFICERS,

13, 14 V. c. 18—1850.

For making uniform provision respecting official and other oaths.

Acts of U. C. repealed, s. 1.

Oath of allegiance and of office to be the only ones required s. 2.

Same form to be used throughout the Province, *ib.*

May be administered by magistrates and others now or hereafter to be lawfully authorized, s. 3.

Form of Oath of allegiance, *ib.*

Oath of allegiance to be taken within the time prescribed by law, s. 4.

Affirmation allowed in certain cases, s. 5.

Sacrament, as a qualification for office, not required, s. 6.

14, 15 V. c. 80—1851.

Sureties may relieve themselves from responsibility upon giving notice.

Principal to find new sureties upon pain of forfeiture of office.

16 V. c. 87—1853.

Office not avoided for neglecting to comply with the provisions of 4, 5 V. c. 91; until declared so by the governor, s. 1.

Approval of security by the governor in Council may be given, in certain cases, altho' security was not given within the time required by law, s. 2.

And so of the affidavits of sufficiency, s. 3.

Acts of public officers not to be avoided tho' securities not duly given, *ib.*

PUBLIC OFFICERS, ACTIONS AGAINST,

See Justices—Prerogative Writs.

PUBLIC WORKS,

4, 5 V. c. 28—1841.

£1,659,682 stg. granted for the erection and completion of certain enumerated works, s. 1. See 8. V. c. 75, *correcting an error as to the grant for the Main Northern Road from Toronto to Lake Huron.*

All powers heretofore vested in any directors or commissioners of, transferred to the "board of works," s. 2.

With all rights and liabilities, s. 3. *But see* 9 V. c. 37.

4, 5 V. c. 38—1841.

Certain Acts and ordinance of L. C. repealed, s. 1.

Contracts with the former Board of Works nevertheless to remain valid, s. 2.

The other sections are repealed by the next statute.

9 V. c. 37—1846.

The 3rd and all the subsequent sections of last mentioned statute repealed, s. 1.

The governor authorized to appoint a chief commissioner and an assistant commissioner to be styled "commissioners of public works," *ib.*

PUBLIC WORKS,

- Commissioners not disqualified from being members of assembly, *ib.*
- Secretary to be appointed : commissioners and secretary removable at pleasure, s. 3.
- Engineers and other officers to be appointed, *ib.*
- Commissioners and secretary to be paid a yearly salary, s. 4.
- Commissioners authorized to enter into contracts on behalf of the province relative to public works, s. 5. *But see 10, 11 V. c. 24, s. 1, under which the contracts are in the name of the Crown.*
- Office of the commissioners—times of meeting, s. 6.
- Commissioners to have the management of all public works constructed or maintained at the public expense out of the provincial funds, &c., s. 7.
- No expenditure to be made, without the previous sanction of the legislature, *ib.*
- Commissioners authorized to enter on lands and make surveys, s. 8.
- May take lands, streams, &c., for public works, *ib.*
- May contract with parties and representatives of minors, absentees, lunatics, &c., *ib.*
- Compensation to be made and how, *ib.*
- Tenders may be made to parties refusing to agree on compensation, *ib.*
- And possession taken, *ib.*
- Proviso—as to costs of arbitration, *ib.*
- How notice given, if owner non-resident, *ib.*
- Possession may be taken after such notice, *ib.*
- Property so acquired to be vested in the crown, *ib.*
- Proceedings to discharge claims and incumbrances, s. 9.
- Commissioners may discontinue part of a public road, substituting another, s. 10.
- Provision as to roads so discontinued, *ib.*
- Commissioners may take materials from of any land on making compensation, s. 11.
- And may make roads thereto, *ib.*
- When any work is available tolls may be collected under authority of Governor in council, s. 12.
- Such tolls not to exceed maximum rates in schedule B, *ib.* *But the said Schedule is repealed and another substituted by, 12 V. c. 4.*
- Property acquired for the use of provincial works to be vested in the crown—including hydraulic powers, s. 13.
- Governor in council may dispose of such property when not required, *ib.*
- Duties of the commissioners, s. 14.
- To make annual report, *ib.*
- Minutes of their proceedings to be kept, *ib.*
- Security to be taken from contractors, *ib.*
- Lowest tender, when to be rejected, *ib.*
- Commissioners not to exceed £100 expenditure without sanction of Governor in council, *ib.*
- Applications for expenditure to be referred to commissioners, s. 15.
- Expense of survey if required to be secured, *ib.*

PUBLIC WORKS,

Maps and plans of any proposed work to be submitted to the Governor, s. 16.

Commissioners not to depart from the line shewn in any map approved by the legislature more than 500 yards and deviation to be first approved by Governor in council, *ib.* *The limit of deviation is extended to one mile by 10, 11 V. c. 24, sec. 10.*

What shall be deemed acts of the commissioners, s. 17.

Regulations to be made for the proper using of any work completed, s. 18. *See also 12 V. c. 15, declaring the intent of this section.*

Governor in council may enact regulations for imposing tolls, &c., *ib.*

May impose fines not to exceed £50, *ib.*

Officers and soldiers on duty to pass toll free over roads and bridges, s. 19.

Tolls and penalties, how recoverable, s. 20.

Provision as to tolls, penalties, &c., incurred with respect to timber passing any slide, *ib.*

Tolls to be paid by collector to the receiver general, 21.

To be deemed "duties" within the meaning of the Revenue management Act, 8 V. c. 4, *ib.*

No money granted for public works, to be expended, except under commissioners, s. 22.

Public works in schedule A. to be vested in Her Majesty, and under control of commissioners, s. 23.

Contracts for leases, &c., to enure to Her Majesty, *ib.*

Roads may be transferred to *district* councils, on certain conditions, *ib.*

Powers of *district* councils in such cases, *ib.*

Governor in council to appoint three Arbitrators for Lower and three for Upper Canada, s. 24.

Their duties, *ib.*

Their award to be subject to the control of courts, as other awards, *ib.*

Applications to set aside award to be made within one year, *ib.*

Allowance to arbitrators for their services, *ib.*

Sec. 25, (unsettled claims for all damages before the passing of this Act, to be referred to such arbitrators,) is repealed by 10, 11 V. c. 24, s. 11.

This Act not to affect pending actions, s. 26.

Arbitrators to be sworn, s. 27.

May summon witnesses, &c., compel production of papers, s. 28.

Arbitrators to consider the advantages as well as disadvantages of any work in claims for damages, s. 29.

No party to pay any sum to the Commissioners, for such advantages, *ib.*

Claims for damages to be brought within 12 months, s. 30.

Repeated as regard claims having arisen before this Act, by 10, 11 V. c. 24, s. 11.

Arbitrators to furnish commissioners with copies of their award, s. 31.

Duties of the secretary, s. 32.

PUBLIC WORKS,

To have the charge of accounts, plans, contracts, &c., *ib.*
 Commissioners may send for persons and papers, s. 33.
 Accounts to be attested upon oath, if required, s. 34.
 Warrants for payment to issue on commissioners certificates only, s. 35.

Amount not exceeding £500 at any one time, may be advanced to the secretary to meet disbursements, s. 36.
 Detailed accounts of moneys advanced or paid to be made up by the secretary, s. 37.

This Act not to authorize the payment of any greater sum for salary and expenses of Commissioners or secretary, than is authorized by the Union Act, s. 38.

Certain Acts of L. C. and of U. C., repealed, s. 39.

Accounting clause, s. 40.

Interpretation clause, s. 41.

10, 11 V. c. 24—1847.

Future contracts relating to public works to be made in the name of Her Majesty, s. 1.

Assistant commissioner may sign documents, &c., executed in the name of Her Majesty, s. 2.

Commissioners authorized within thirty days to tender sufficient amount to any party claiming damages, s. 3.

If tender not accepted, claim to be submitted to arbitration, *ib.*

Claimants to give security for the costs, *ib.*

The award of a majority of arbitrators to be valid, *ib.*

Subject to be set aside as provided by 9 V. c. 37. *ib.*

Arbitrators expenses, *ib.*

Claims before the passing of this Act to be brought within nine months, s. 4.

Sect. 5 is repealed by 14, 15 V. c. 53.

Walls, etc., taken down in executing public works to be replaced by commissioners, s. 6.

How to be kept up afterwards, *ib.*

Governor in council authorized to alter the place of toll-gates and vary the tolls, &c., within the maximum rate, s. 7.

Tolls may be farmed or leased, s. 8.

Timber passing slides may be detained until the tolls thereon are paid, s. 9.

Penalty on persons passing, without paying such tolls, *ib.*

If tolls not paid within ten days, timber may be sold, *ib.*

Commissioners authorized (notwithstanding, 9 V. c. 37, s. 16,) to deviate from maps or plans to a distance not exceeding one mile, s. 10.

Sec. 25 and part of sec. 30 of 9 V. c. 37, repealed.

12 V. c. 4—1849.

Schedules of maximum tolls annexed to 9 V. c. 37, repealed, s. 1.

The schedule to this Act substituted therefor, s. 2.

Fractions how computed: tolls may be modified from time to time, provided the maximum be not exceeded, s. 3.

As to works not included in the schedule, s. 4.

Road from Dundas to Waterloo in U. C. placed under commissioners of public works, s. 5.

PUBLIC WORKS,

Act to commence on the first day of May next, (1849),
s. 6.

12 V. c. 5—1849.

The Governor in council authorized to arrange for the transfer of any of the public roads, harbours, bridges or buildings to municipal authorities, or joint stock companies, &c., s. 12.

Transfer to be effected by order in council, s. 13.

Order in council to specify terms and conditions, *ib.*

Penalties for offences relative to, to remain in force, and how to be disposed of, *ib.*

12 V. c. 15—1849.

The same tolls to be payable on St. Lawrence canals, by vessels passing down the River, as if they had passed thro' the canals, s. 1.

The Governor in Council may, by regulation authorize the seizure of vessels for non-payment of tolls, fines or damages, s. 2.

13, 14 V. c. 13—1850.

Commissioners authorized to take lands, waters, &c., in certain cases for the advantage of public works, though not actually occupied by such work, s. 1.

And alienate the same when no longer necessary, *ib.*

Claims for lands or damages, &c., when to be filed, s. 2.

Time and place of arbitration, s. 3.

Sect. 4 is repealed by 14, 15 V. c. 53, s. 4.

Rules to be observed by arbitrators, s. 5.

To be bound by stipulations in contract, s. 6.

As to interest, *ib.*

Penalties not to be deemed comminatory, *ib.*

Commissioners to make drains in certain cases, s. 7.

They shall be kept in repair by parties interested, *ib.*

Commissioners not to be sued, s. 8.

Disputes to be referred to arbitration, *ib.*

Commissioners to act on behalf of the Queen, s. 9.

Arbitrators to take evidence in writing, s. 10.

Clerks to be appointed to them, *ib.*

Clerks to furnish copies of papers, s. 11.

Appeal from award of arbitrators, s. 12.

What evidence admissible on appeal, s. 13.

Appeal to be made within four months, *ib.*

Notices on commissioners where to be served, s. 14.

Act not to affect pending cases, s. 15.

Commissioners may allow moneys appropriated for roads to be expended by municipal authorities, s. 16.

14, 15 V. c. 53—1851.

The 5th sec. of 10, 11 V. c. 24, and sec. 4 of 13, 14 V. c. 13, repealed.

Powers of arbitrators to command attendance of witnesses extended to both sections of the province, s. 4.

16 V. c. 12—1852.

On action brought by the Crown to recover possession of, court or judge may order the same to be put in possession

PUBLIC WORKS,

of a guardian named by the Crown until suit is determined, s. 1.

When and how order may be obtained, s. 2.

Duty of sheriff to execute the same, s. 3.

16 V. c. 160—1853.

Notwithstanding the 9 V. c. 37, and 10, 11 V. c. 24, arbitrators may be appointed otherwise than provided by said Acts, s. 1.

In what way to be appointed by the claimants and commissioners; to have the same powers as official arbitrators, *ib.*

Penalty on witnesses not attending, s. 2.

Claimants to give security, s. 3.

Awards when to be final, and when subject to revision, s. 4.

Costs by whom to be paid, s. 5.

Remuneration of arbitrators, *ib.*

18 V. c. 100—1855.

Municipal and Road Act not to apply to roads and bridges under control of commissioners of, and others, until the same are vested in local municipality, s. 3.

May be acquired by municipalities, s. 15, par. 6.

Moneys may be raised for construction, beyond limits of municipality, *ib.*, par. 8.

Classification of, provincial, county, local, s. 39.

Application for county or local; effect thereof, s. 47.

Compensation for land taken for; how estimated, s. 52.

County works, how executed, s. 64.

And see Municipal Corporations.

PUBLIC WORKS, COMPANIES, FOR THE PURCHASE OF.

See Roads, &c.—Companies for constructing, 12 V. c. 56.—13, 14 V. c. 14.

PUBLIC WORKS, RIOTS NEAR, *See* Riots.

PUBLIC WORKS, LOANS FOR,

See Finance—Supplies.

PUBLIC WORSHIP,

7 G. 4, c. 3—1827—66.

1 G. 4, c. 1 and 4 G. 4, c. 35, repealed, s. 1.

Churchwardens to keep order and prosecute offences; penalty for neglect, s. 2.

Persons causing disturbance, &c., in churches or loitering outside, during divine service, may be arrested, how punished, s. 3.

Though not arrested, may be sued at any time within three months, s. 4.

Officers of militia to have same powers as churchwardens, s. 5.

Such officers to arrest persons tipping or conducting themselves in a disorderly manner in any public place during divine service, how punished, s. 7.

Penalty for fast driving near churches, s. 6.

Constables may be appointed to assist churchwardens, s. 8.

Penalties how to be recovered, and within what time, s. 9.

PUBLIC WORSHIP,

Churchwardens, &c., not to be entitled to any part of fine, *ib.*

Churchwardens, &c., to be competent witnesses though prosecutors, s. 10.

Allowed to plead general issue; and to have double costs if plaintiff fails, s. 11.

This act and parts of certain other acts to be forwarded to curates; what to be done with it; penalty for neglect, s. 12.

Fines how applied, s. 13.

4, 5 V. c. 27—1841.

Penalty not exceeding £5 for wilful disturbance of, s. 31.

Committal in default of distress, for not exceeding one month, s. 32.

PUBLICATION,

43 G. 3, c. 4—1803—579.

Of acts and proclamations, how and when to be made by ministers, s. 1. (*Query, whether this would apply to acts of present Legislature.*)

18 V. c. 100—1855.

Of municipal by-laws, how made, s. 16.

Language of, how regulated, with respect to notices under Municipal and Road Act, s. 79.

18 V. c. 101—1855.

Of substitutions in courts of justice, abolished, s. 1.

Registration in registry office to be equivalent thereto; when and within what delay to be done, s. 2.

PUBLISHER, See Newspapers.**PULSE, See Grain, and,****PUNISHMENT,**

4, 5 V. c. 24—1841.

Punishment for felony when endured to have effect of pardon, s. 21.

6 V. c. 5—1842.

Act for better proportioning to offences.

So much of the 4, 5 V. c. 24, 25, 26, 27, or of any other law as is inconsistent with this Act, repealed, s. 1.

Offenders liable to imprisonment in penitentiary, or instead thereof in any other prison for term not exceeding two years, may be imprisoned in penitentiary for not less than three years, s. 2.

Imprisonment if awarded for more than two years, to be in the penitentiary, s. 3, (*but now if for two years, by 14, 15, V. c. 2, s. 2.*)

Imprisonment in the penitentiary substituted for transportation, s. 4.

Assault with intent to commit rape or buggery, how punishable, s. 5.

12 V. c. 10—1849.

Punishment for an offence when none is provided by the Act creating it, s. 5, par. 16.

QUAKERS,

33 G. 3, c. 4—1793—608.

- May make affirmation instead of oath, form, s. 1.
- Provisions with respect to military service, procuring substitutes, &c., s. 2.
- False affirmation to be equivalent to false oath as to penalties, s. 3.
- Certificate, what necessary in order to claim above indulgence, s. 4. *And see* 18 V. c. 77, s. 7.
- Not enabled by this act to give evidence in criminal matters, (*But see* 14, 15 V. c. 96, s. 9.) serve on juries or hold office under government; s. 5.
- Fines how applied, *ib.*

QUAKERS, MENONISTS, TUNKERS, AND MORAVIANS,

18 V. c. 77—1855.

- All persons bearing certificates from the society of Quakers, &c., exempted from military duty, s. 7.
- Claim with affidavit, to be filed with commanding officer of the company one month before benefit allowed, *ib.*

QUALIFICATION,

See the subjects to which the qualification relates.

QUARANTINE, See Emigrants and Quarantine.

QUARTER SESSIONS,

34 G. 3, c. 6—1794—101.

- Courts of, established in several districts, s. 34.
- When and where to be held; as to St. Francis, *see* 3 G. 4, c. 17, s. 13, jurisdiction, *ib.* *But see* 13, 14 V. c. 35.
- 2 V. (1) c. 2—1838—163.
- Inspectors and superintendents of Police to be justices, but not to act as such at quarter sessions, s. 1.
- 12 V. c. 37—1849.
- Cases pending before, may be removed to Queen's Bench, crown side by *certiorari*, s. 25.
- 12 V. c. 38—1849.
- When, how and by whom to be held in new districts, s. 12.
- Circuit judge to be chairman of, s. 44.
- Circuit judges, quarter sessions not be incompetent by reason of absence of, s. 45.
- May be held at Chicoutimi and when, s. 80.
- 13, 14 V. c. 35—1850.
- May be held by one circuit judge, s. 1.
- Any justice may however sit and act, *ib.*
- When to be held at Quebec, Montréal, and Three-Rivers; proviso as to Sundays and holidays, s. 2.
- Section 3 is repealed by* 16 V. c. 201, s. 2.
- Duration, s. 4.
- Pending process how and when returnable, s. 5.
- Court of, may make tariff and rules of practice, s. 6.
- Court of may condemn party losing to pay costs of appeal; how recovered, s. 7.
- Process issued out of, may be executed in any part of Lower Canada, s. 8.

QUARTER SESSIONS,

Governor may appoint president of, in districts of Three-Rivers and St. Francis; salary and qualification, s. 9.

Powers of president, s. 10. *And see* 19, 20 V. c. 55, s. 3.

Court of, how may punish persons refusing to appear and give evidence, s. 11.

Circuit judges and presidents only to tax and swear witnesses as to their accounts, s. 12.

All inconsistent enactments repealed, s. 13.

Interpretation Act to apply, s. 14.

14, 15 V. c. 89—1851.

Number of petit-jurors to be summoned at, s. 3, par. 2. *And see* Juries.

14, 15 V. c. 95—1851.

Clerk of the peace to render account to, of moneys received by him arising from prosecutions before justices, s. 27.

16 V. c. 201—1853.

When and where to be held in districts of Kamouraska, and Ottawa, s. 1.

Section 3 of 13 and 14 V. c. 35 repealed—Sessions in St. Francis when to be held, s. 2.

Returns of writs, &c., before this Act, to be valid, s. 3.

19, 20 V. c. 55—1856.

President of, to perform duties of judge of S. C. out of term, in case of absence of said judge, s. 3.

QUEBEC, COMMON SCHOOLS IN,

See Schools—*more especially* 9 V. c. 27, ss. 40, 41, 42, 44, 45, 50. *And see* Montreal

14, 15 V. c. 97—1851.

No school rate to be imposed in the city, s. 9.

City treasurer to pay board of school commissioners sum equal to that received from common school fund, penalty for refusal, *ib.* *But see* 19, 20 V. c. 14, s. 1.

QUEBEC,

16 V. c. 214—1853.

Tavern licenses how to be granted in city of. *See* Taverns.

18 V. c. 99—1855.

County of, for registration purposes defined, s. 11.

18 V. c. 100—1855.

City of, not to be affected by Municipal and Road Act, s. 4.

QUEBEC, LOCAL ACTS.

QUEBEC CIRCUIT,

Extended; 18 V. c. 158.

QUEBEC, CORPORATION,

Laws consolidated, 8 V. c. 60—9 V. c. 22—14, 15 V. c. 130—18 V. c. 159.

To consolidate city debt; 16 V. c. 232—18 V. c. 31.

Mayor made elective by Citizens; 19, 20 V. c. 69.

Remedy against Corporation in the case of riots, 16 V. c. 233.—Act amended 19, 20 V. c. 5.

QUEBEC, CUL-DE-SAC VESTED IN CORPORATION,
16 V. c. 234.

QUEBEC, FOR LIGHTING IT WITH GAS,
Corporation may light with Gas, or transfer their powers to
a Company, 9 V. c. 74, (which they have done.)
Capital of company increased, 18 V. c. 216.

QUEBEC, FOR SUPPLYING IT WITH WATER,
9 V. c. 113—13, 14 V. c. 100—14, 15 V. c. 131—16 V. c.
129—18 V. c. 30.

QUEBEC, FORTIFICATIONS OF,
10, 11 G. 4, c. 4; revived and amended, 3, 4 V. c. 27.

QUEBEC, HEALTH OF THE CITY TO PROVIDE FOR,
12 V. c. 116.

QUEBEC, INTERMENTS PROHIBITED IN CERTAIN PLACES,
18 V. c. 141.

QUEBEC, MARKET, 17 G. 3, c. 4, repealed as regards Quebec
by 16 V. c. 231.

QUEBEC, MARKET AT, 55 G. 3, c. 7—9 G. 4, c. 53.

QUEBEC, PARLIAMENT HOUSE AT, 1 W. 4, c. 16.

QUEBEC, RECORDER'S COURT AT, 19, 20 V. c. 106.

QUEBEC, RELIEF OF SUFFERERS BY FIRES IN,
9 V. c. 62—10, 11 V. c. 35—13, 14 V. c. 101—14, 15 V. c.
22—16 V. c. 28.

QUEBEC TRINITY HOUSE,
9 V. c. 55—12 V. c. 114—13, 14 V. c. 96 and 99—14, 15 V.
c. 101.
Certain salaries increased in, 18 V. c. 161.

QUEBEC, TURNPIKE ROADS NEAR,
Established, 4 V. c. 17—Law amended, 4, 5 V. c. 72—
8 V. c. 55—9 V. c. 68—12 V. c. 115—13, 14 V. c. 102—
14, 15 V. c. 132 and 133—16 V. c. 235. Tolls on in-
creased, 18 V. c. 160.

QUEBEC AND MONTREAL,
ASSIZE OF BREAD, BAKERS, &c. 17 G. 3, c. 10.
Gaols and Court Houses at, 39 G. 3, c. 10—45 G. 3, c. 13.
Roads in, 36 G. 3, c. 9—39 G. 3, c. 5.—*These two Acts are
repealed as to all other parts of Lower Canada by 18 V.
c. 100.*

QUEBEC AND MONTREAL,
Inspection of Butter in, 11 V. c. 7.

QUEBEC AND MONTREAL,
Origin of Fires in, inquiry into, 18 V. c. 157.

QUEBEC AND MONTREAL, POLICE IN,
Ordinance 2 V. (1) c. 2—made permanent 6 V. c. 14—
Amended, 7 V. c. 21—9 V. c. 23—14, 15 V. c. 25.

QUEBEC AND MONTREAL,

Separate Registers, in certain Parishes and Churches,
18 V. c. 163.

QUEBEC,

PRIVATE ACTS.

QUEBEC AND LAKE SUPERIOR MINING COMPANY,

Incorporated, 10, 11 V. c. 69.

QUEBEC AND RICHMOND RAILWAY COMPANY,

Incorporated, 13, 14 V. c. 116.

Union with Grand Trunk Railway Company, 18 V. c. 33.

QUEBEC AND SAGUENAY RAILROAD COMPANY,

Incorporated, 18 V. c. 35.

QUEBEC AND ST. ANDREWS RAILROAD COMPANY,

Incorporated, 13, 14 V. c. 117.

QUEBEC AND ST. FRANCIS MINING AND EXPLORING COMPANY,

Incorporated, 18 V. c. 47.

Act amended, 19, 20 V. c. 77.

QUEBEC AND TROIS PISTOLES NAVIGATION COMPANY,

Incorporated, 16 V. c. 247.

QUEBEC BANK,

Charter amended, 2 V. (3), c. 24—4, 5 V. c. 94—10, 11 V.
c. 114—14, 15 V. c. 156—17 V. c. 143—18 V. c. 40.

QUEBEC BENEVOLENT SOCIETY,

Incorporated, 47 G. 3, c. 17—16 V. c. 63—18 V. c. 232.

QUEBEC BOARD OF TRADE,

Incorporated, 4, 5 V. c. 92—8 V. c. 67.

QUEBEC BRIDGE COMPANY,

Incorporated, 16 V. c. 132.

QUEBEC CHARITABLE FIREWOOD SOCIETY,

Incorporated, 8 V. c. 89.

QUEBEC, CHAUDIERE, MAINE AND PORTLAND RAILWAY COMPANY,

Incorporated, 18 V. c. 196.

QUEBEC EXCHANGE,

Incorporated, 10, 11 G. 4, c. 15.

QUEBEC FIRE ASSURANCE COMPANY,

Incorporated, 9 G. 4, c. 58.

Charter amended, 18 V. c. 212.

QUEBEC FORWARDING COMPANY,

Incorporated, 12 V. c. 193.

QUEBEC,

PRIVATE ACTS.

QUEBEC FRIENDLY SOCIETY,

Incorporated, 10, 11 G. 4, c. 49.
 Charter continued, 12 V. c. 151.
 Charter amended, 16 V. c. 64—18 V. c. 63.

QUEBEC GAS COMPANY,

Incorporated, 12 V. c. 182.
 Charter amended, 18 V. c. 216.

QUEBEC HOTEL SOCIETY, *See* City of Quebec.

QUEBEC LIBRARY,

Incorporated, 3, 4 V. c. 50.

QUEBEC LIBRARY ASSOCIATION,

Incorporated, 8 V. c. 98.

QUEBEC MASONIC HALL ASSOCIATION COMPANY,

Incorporated, 18 V. c. 247.

QUEBEC MUSIC HALL ASSOCIATION,

Incorporated, 14, 15 V. c. 161.

QUEBEC PROVIDENT AND SAVINGS BANK,

18 V. c. 12.

QUEBEC SCHOOL OF MEDICINE,

Incorporated, 8 V. c. 80.

QUEBEC TEMPERANCE HALL ASSOCIATION,

Incorporated, 16 V. c. 62.

QUEBEC WAREHOUSING COMPANY,

Incorporated, 12 V. c. 192.

QUEBEC WORKMEN'S BENEVOLENT SOCIETY,

Incorporated, 13, 14 V. c. 127.

QUEEN'S BENCH, COURT OF,

See Administration of Justice—*more especially* 12 V. c. 37.

QUINT,

18 V. c. 103—1855.

Droit de, abolished with respect to all seigniories not excepted
 by this act, s. 3.

QUORUM, *See the Courts, &c., to which the quorum relates.*

R A F

RAFTS,

6 W. 4, c. 15—1836—152:

Sheriff may require security before seizing, s. 22.

May require certain sum in advance, s. 23.

Provision when sum expended, *ib.*

RAFTS,

6 W. 4, c. 20—1836—295.

Grounding in the St. Louis rapids, to be got clear within 36 hours; penalty, *ib.*

RAFTSMEN,

9 G. 4, c. 28—1829—136.

Not bound to give security under this act, on taking out execution against timber conveyed by them, when defendant absent, s. 3.

RAILWAYS, GENERALLY,

GENERAL PROVISIONS.

10, 11 V. c. 63—1847.

All By-Laws imposing Tolls to be subject to approval of Governor in Council, whenever power to amend the Act of incorporation has been reserved in it, s. 14. *See also* 12 V. c. 10, *directing that all future Acts shall be construed as containing such reservation.*

12 V. c. 28—1849.

To provide for services to be rendered to the government by Railway Companies when required.

Companies whose charters contain a provision that they shall be subject to any general Railway Act, bound, when required, to carry the mail, naval and military forces, stores, police force, &c., s. 1.

And to place any electric telegraph they may have, at the disposal of the government, *ib.*

Compensation for such services, how to be settled, *ib.*

By-laws of, imposing tolls, &c., not to be valid until approved by the Governor in council, s. 2. *See also Militia—Post Office.*

14, 15 V. c. 51—1851.

To consolidate and regulate general clauses relating to.

Act to apply to all railways to be hereafter constructed, s. 1.

Short title of this Act, s. 2.

How its provisions or any of them shall be incorporated with any special Railway Act, s. 3.

Powers for constructing any Railway, to be exercised subject to this Act, s. 4.

Secs. 5; 6 are repealed by 16 V. c. 2.

Interpretation clauses, s. 7.

Incorporation clauses, and powers incident to incorporation, ss. 8, 9.

Clauses relating to plans and surveys, s. 10. *See also* 16 V. c. 169, ss. 4, 8.

Clauses relating to lands, valuation, &c., s. 11.

Clauses relating to highways and bridges, s. 12.

Clauses relating to fences, s. 13.

Clauses relating to tolls, s. 14.

Clauses relating to general meetings of shareholders, s. 15.

Clauses relating to directors—their election—duties, s. 16.

Clauses relating to shares, and transfer of, s. 17.

RAILWAYS, GENERALLY,

GENERAL PROVISIONS.

Municipalities authorized to take stock in and make loans to, and issue debentures for: Their rights in the management of the Company, &c., s. 18. *See also* Municipalities. Clauses relating to shareholders, their liabilities, &c., s. 19. Clauses relating to actions for indemnity, fines and penalties, &c., s. 20.

Clauses relating to working of the railway, viz:—

1. Servants to wear badges;
2. Trains to start at fixed hours;
3. Checks to be fixed on parcels;
4. Baggage-cars not to be in rear of passenger-cars;
5. Locomotive to be furnished with bells or steam-whistles;
6. Passengers refusing to pay fares may be put out;
7. Conductor becoming intoxicated on railway, guilty of misdemeanor;
8. Passengers on the platform of any car, or on any baggage, wood, or freight train, to have no claim for injury, if sufficient room in passenger-cars.

GENERAL PROVISIONS, s. 22:

1. Company not bound to see to the execution of trusts;
2. To carry the mail, military stores, &c., upon such terms as the Governor in council shall appoint, and to place their electric telegraphs, if any, at the disposal of the Government;
3. To keep an account of the names and residences of shareholders;
4. A map and profile of the railway completed, and of the land taken, &c., to be filed in the office of the board of works;
5. Account of annual receipts and expenditure to be laid before parliament;
6. Railway to be commenced and *ten* per cent on the capital expended within three years from passing of special Act, and railway put in operation within *ten* years, otherwise corporate powers to cease;
7. Parliament may reduce the tolls but not under 1 per cent on the capital expended;
8. Company not bound to carry goods of an inflammable or dangerous nature;
9. Forging debentures, or *coupons* to be felony;
10. Company bound to make and repair fences in Lower Canada;
11. Special Act to be deemed a public Act;
12. Parliament may at any time annul or dissolve any corporation formed under this Act;
13. Saving clause of Her Majesty's rights;
14. Amendment of this Act not to be deemed an infringement of the rights of any Company.

14, 15 V. c. 67—1851.

Canals or railways may, with consent of the Governor in council and Lord High Admiral, be constructed upon lands

RAILWAYS, GENERALLY,

GENERAL PROVISIONS.

reserved for military or naval purposes and vested in admiralty, s. 39.

16 V. c. 2—1852.

The 5th and 6th sections of the 14, 15 V. c. 51, repealed, s. 1.

Railway bills then pending to be dealt with as if the said clauses had never been passed, s. 2.

16 V. c. 138—1853.

Municipal corporations of certain counties may pass by-laws to take stock in those running through said counties. *And see below* 16 V. c. 213.

16 V. c. 169—1853.

Any person maliciously displacing or removing any railway switch, or rail, &c., or placing any obstruction thereon, to be guilty of misdemeanor, s. 1. *And see below* 18 V. c. 92.

To be guilty of felony, if damage be actually done, *ib.*

If death ensue in consequence, to be guilty of manslaughter, and how punishable, s. 2.

Committing any injury causing stoppage or obstruction, &c., to railway works, misdemeanor, s. 3.

The time allowed for deposit of plans, &c., extended, with power to commissioners of public works to grant further extension, s. 4.

Heads of municipalities not to vote on the election of private directors, unless specially provided for by Act of incorporation, s. 5.

Railway trains to stop three minutes before passing any drawbridge, &c., under the penalty of £100, s. 6.

Ground adjoining railway, belonging to company, to be laid down with grass, and cleared of thistles and weeds, s. 7.

Doubts removed under the 14, 15 V. c. 51, respecting lands vested in Her Majesty; and no such land to be taken without consent of Governor in Council, s. 8.

Railway companies not to cross any navigable river or canal, &c., except on complying with certain requirements and approval of Governor in Council, *ib.*

Branch railways may be constructed on certain conditions, and within certain limits, s. 9.

This Act to apply to all railways made, or to be made, s. 10.

16 V. c. 213—1853.

Provisions of above Act extended to all municipalities in Lower Canada, and to 12 V. c. 56 (Joint Stock Companies for Roads, &c.), s. 1.

Stock may be taken in certain cases on behalf of one or more townships or parishes, s. 2.

18 V. c. 92—1855.

Maliciously doing certain things to cause accidents upon, felony, and how punishable, s. 32.

Maliciously throwing, &c., any thing against a railway carriage with intent to injure any one, felony, and how punishable, s. 33.

RAILWAYS, GENERALLY,

GENERAL PROVISIONS.

Setting fire to station, &c., or goods therein, felony, and how punishable, s. 34. Stealing tickets, or obtaining passage by false tickets, how punishable, ss. 36, 37, 38.

18 V. c. 100—1855.

Assistance to, how may be afforded by municipalities, s. 15, par. 9.

Mode of assessing property of, for municipal purposes, s. 65, par. 4.

Annual return of property to be made by railway companies, *ib.*

And see Municipal Corporations.

19, 20 V. c. 11—1856.

Officers or Servants of Railway Companies, contravening By-laws, and exposing property or person to risk of injury, to be liable to fine or imprisonment, or both, s. 1.

Punishment in case such contravention shall not expose person or property to risk of injury, s. 2.

Companies empowered to impose fines for contravention of By-laws, and deduct the same from salary of offender, s. 3.

PROVINCIAL GUARANTEE.

12 V. c. 29—1849.

To afford the provincial guarantee to:

How obtained and on what conditions, s. 1.

Not to exceed one half the cost of the Road, *ib.*

Line to be at least 75 miles in length, *ib.*

Amount limited in proportion to expenditure on the Railway, *ib.*

Province to have the first lien on the Railway, *ib.*

No dividend to be paid until interest of the sum guaranteed and a Sinking Fund are provided for, *ib.*

But see further conditions and limitations in 14, 15 V. c. 73, ss. 16 to 22.

Companies receiving such guarantee to render half yearly accounts on oath to inspector general, s. 2.

Sinking fund moneys, how to be invested, s. 3.

Further conditions may be agreed upon by the Governor in council and the company, s. 4.

Aid to the Quebec and Halifax railway, s. 5. *But see* 14, 16 V. c. 73, s. 2, and also, 16 V. c. 38, *providing for the making of this Railway by the Trois-Pistoles Railway Company, or some other in its default.*

Provisions under which lands may be taken for such railway, s. 6.

Moneys advanced under this Act to be paid out of the consolidated revenue and to be a debt to the Crown, s. 7.

MAIN TRUNK LINE AND PROVINCIAL GUARANTEE.

14, 15 V. c. 73—1851.

The public debt of the province not to be increased, &c., except for the guarantee under 12 V. c. 29, to which the

RAILWAYS, GENERALLY,

MAIN TRUNK LINE AND PROVINCIAL GUARANTEE.

St. Lawrence and Atlantic, the Great Western, and the Ontario Simcoe and Huron Railway, are entitled, and as hereinafter provided, s. 1.

RAILWAYS, MAIN TRUNK LINE.

Quebec and Halifax railway: under what conditions to be made, s. 2. See note to s. 5 of 12 V. c. 29.

Certain ungranted lands may be appropriated, *ib.*

Expenses, how to be paid, s. 3.

A Main Trunk Line of Railway from Quebec to Hamilton may be made with provincial funds raised on the imperial guarantee, s. 4.

If guarantee not obtained, railway then to be made at the joint expense of the province, and municipal corporations, s. 5.

Provision authorizing municipalities to raise the amount by by-laws and for the issue of government debentures, ss. 6, 7.

Total amount to be raised not to exceed £4,000,000 currency, s. 8.

Moneys raised on the credit of the two funds to be expended in equal proportions, s. 9.

In what cases the municipalities liable for interest on amounts subscribed by them, s. 10.

A sinking fund to be established, and how, s. 11.

Provision, in case municipal sinking fund insufficient, s. 12.

Railway to be a provincial work, and the powers of the commissioners of public works as to taking lands, &c., extended to it, s. 13.

The governor in council to determine the line, *ib.*

Commissioners of public works authorized to treat with certain companies in Lower Canada for the purchase or use of their roads, s. 14.

Sections 2 to 14, inclusive, though not repealed, appear to be superseded, arrangements having been made for the construction of the Line by Private Companies, from Trois-Pistoles to Hamilton.

Provision for constructing the railway by private companies, in case the public undertaking found impracticable, s. 15.

The guarantee under the 12 V. c. 29, restricted to railways forming part of the Main Trunk Line (including the St. Lawrence and Atlantic) the Great Western and the Ontario, Simcoe and Huron, s. 16.

A board of railway commissioners constituted, s. 17.

No railway company entitled to guarantee until the board shall have examined and approved the line and certified certain particulars, for the security of the Province, s. 18.

Railways over 100 miles long may be divided into sections, and guarantee given for each section, s. 19.

Guarantee not to be given until the commissioners report the land required to be purchased and paid for, and at least half the cost of the Railway paid, &c., s. 20.

Contracts for railways for which the guarantee is given, to be first submitted to the board, s. 21.

RAILWAYS, MAIN TRUNK LINE,

Guarantee may be extended to the principal as well as the interest of debentures on certain conditions, s. 22.

Or Provincial Debentures issued for the amount, in exchange for bonds of the Company, for which the same lien on the railway shall exist, *ib.*

All inconsistent enactments repealed, s. 23.

Interpretation, and accounting clauses, ss. 24, 25.

14, 15 V. c. 74—1851.

The words "the Great Western Railroad" in the above Act, to comprehend the whole line from Niagara river to Detroit.

16 V. c. 39—1852,

Any two or more railway companies forming part of the Main Trunk Line, may unite together as one company or may purchase each other's property and rights, &c., s. 1.

Directors, may agree on the terms, &c., s. 2.

Special general meeting to be called to ratify or disallow the agreement, s. 3.

Effect of ratification, s. 4.

Companies to form one body corporate: rights of the Crown or of private parties not to be affected, *ib.*

Railway property purchased to be vested in company purchasing, subject to all liabilities, s. 5.

The company selling to retain their corporate capacity for effecting transfer, s. 6.

Rights of the company after purchase or union, with regard to third parties, how to be governed, s. 7.

Provision respecting the joint capital, or increase of capital by company purchasing, s. 8.

Further legislative provision will be made if necessary, s. 9.

The Montreal and Kingston railway Act, and the Kingston and Toronto railway Act, repealed.

16 V. c. 76—1852.

The said Act (16 V. c. 39) extended to railways which intersect the main trunk line—or touch places which the said line also touches, s. 1.

Provision as to corporate name, directors, &c., if one of the amalgamated Companies be the Grand Trunk Railway Company, s. 2.

And if neither be so, s. 3.

See also 19, 20 V. c. 112, incorporating Lake Huron, Ottawa and Quebec Junction Railway Company, with a conditional aid of four million acres of Public Lands.

GRAND TRUNK RAILWAY.

16 V. c. 37—1852.

Gauge to be five feet six inches, s. 3.

Capital not to exceed *three millions* sterling, s. 4. *See below.*

Nine directors to be appointed by Government in consideration of the provincial guarantee, s. 5.

Government may purchase the railway, &c., at the end of 21 years from 1st January, 1853, on certain conditions, ss. 26, 27.

RAILWAYS, MAIN TRUNK LINE,

GRAND TRUNK RAILWAY.

Guarantee to the company not to exceed £3,000 sterling per mile, but may be given for £40,000 whenever and as often as £100,000 is expended, provided the £3,000 per mile be not exceeded, s. 38. *See below.*

Company may renounce the guarantee, in which case the Government directors shall retire, s. 39.

16 V. c. 75—1853.

Railway bridge (Victoria) over the St. Lawrence at Montreal may be made by the Grand Trunk Railway Company or any company which may be amalgamated with it, s. 1. Powers and rights of the company as to such bridge, s. 2. Plans must be approved by the Governor in council, &c., ss. 3, 4.

Provisions limiting or requiring sanction of tolls, not to apply, s. 5.

Other companies may agree for use of bridge, s. 6.

Company constructing may increase its capital by £1,500,000 sterling, s. 7.

Other companies may take stock, construct works for connecting their railways with the bridge, and raise money for such purposes, *ib.*

Provincial guarantee not to extend to the bridge, and separate accounts to be kept as to it, s. 8. *But see below.*

Must be commenced in two and completed in five years, s. 9, *But see below* 18 V. c. 33, ss. 5, 6.

18 V. c. 33—1854.

Union of Grand Trunk Railway Company with—Trois Pistoles Railway Company—Grand Junction Railway Company—Toronto and Guelph Railway Company—Quebec and Richmond Railway Company—St. Lawrence and Atlantic Railway Company—and agreement for such union, confirmed; and Victoria bridge to form part of works of the company, ss. 1, 2.

United company to be called *The Grand Trunk Railway Company of Canada*, s. 3.

Railway Clauses Act to apply when not inconsistent with special provisions, s. 4.

Governor in council may extend the period for completing works forming part of the company's works, ss. 5, 6.

Increase of capital, and how to be raised, s. 7, &c.

Lien for the provincial guarantee, to be general upon the whole railway and works of the company, instead of special on each separate railway, s. 20.

Debentures may be issued for £40,000 whenever £100,000 expended by the company, &c., until the full amount of guarantee (£1,811,500) sterling is reached, *ib.*

Certificate required before such issue, *ib.*

Entire guarantee, including £400,000 to St. Lawrence and Atlantic Company, not to exceed £2,211,500 sterling. *ib.*

No debentures to be given on account of Quebec and Richmond Railway beyond the £717,500 already issued, *ib.*

RAILWAYS, MAIN TRUNK LINE,

GRAND TRUNK RAILWAY.

No guarantee to be given for any branch railway to be hereafter constructed, *ib.*

Nor on account of any railway hereafter to be amalgamated with the Grand Trunk, unless it forms part of the direct line from Trois-Pistoles to Sarnia, *ib.*

Nor shall more than £100,000 be given on account of expenditure on Victoria bridge, *ib.*

Lease of American railway (Atlantic and St. Lawrence) to the company, confirmed, s. 21.

16 V. c. 38—1852. (Trois Pistoles.)

Company may extend the Trois Pistoles Railway to the eastern limits of the province, s. 27.

No guarantee to be given for such extension, but one million of acres of lands in the counties of Rimouski and Bonaventure may be granted to the company, s. 29.

18 V. c. 174—1855.

Governor in council may issue debentures for not exceeding £900,000 sterling, and advance the sum so raised to the company as an aid by loan, in addition to the aid to which they are entitled by the provincial guarantee, s. 1.

Under such conditions as the Governor in council may think proper to impose in addition to the following, viz :

Total aid by loan and guarantee, never to exceed 50 per cent on the sum actually expended on the works, *ib.* par. 1.

Total sum advanced under this Act never to exceed 75 per cent on the sum actually so expended after the 1st May, 1855, on the works between St. Thomas (below Quebec) and Stratford, Upper Canada, exclusive of Victoria Bridge and repairs, *ib.*

Company not to pay or advance any money from whatever source derived, on the Victoria Bridge, until the line from St. Thomas to Stratford is in operation, *ib.*

Loan to be a first charge on all the works and property of the company; interest payable half yearly, and principal in not more than 20 years, *ib.* par. 2.

Proviso in favour of certain prior charges on the St. Lawrence and Atlantic Railway, *ib.*

Lien, &c., of the Crown to be as for the guarantee, *ib.* art. 3.

Governor in council may have the work inspected, and withhold advances if the report be not satisfactory, *ib.* par. 4.

Moneys repaid by company to form part of Consolidated Revenue Fund, s. 2.

19, 20 V. c. 111—1856.

Governor in Council authorized to carry out a certain arrangement with the Company, s. 1.

Company may, on certain conditions, issue preferential Bonds to the amount of two millions sterling, *ib.*

Deposit and appropriation of proceeds of such Bonds, *ib.*

On said conditions, interest on debentures delivered to Company on account of guarantee, to be paid by the Province during five years and repaid in share capital, s. 2.

RAILWAYS, MAIN TRUNK LINE,

GRAND-TRUNK RAILWAY.

Orders in Council to be made to give effect to this Act, s. 3.

Though the Grand Trunk railway is a private undertaking, yet the work is so important and the provincial interest in it (through the guarantee and loan) so great, that it was thought right to refer to the foregoing provisions in the Acts relating to the company.

RAILWAY COMPANIES, (PRIVATE ACTS,)

See Supplement, and the Companies by their corporate names.

RAMBAU, A.,

Naturalized, 2 V. (3rd Session) c. 11—3, 4 V. c. 21.

RAPE,

4, 5 V. c. 27—1841.

Punishable with death, s. 16.

6 V. c. 5—1842

Assault with intent to commit, how punishable, s. 5.

And see Carnal knowledge.

RAPIDS OF ST. LOUIS,

6 W. 4, c. 20—1836—295.

Penalty for obstructing; within what time channel to be cleared.

RATES, *See Assessments.*

RATIFICATION OF TITLE,

9 G. 4, c. 20—1829—191.

Judgment of confirmation may be obtained; effect thereof; proviso as to real rights, s. 1.

What proceedings necessary to obtain, s. 2.

Creditors of vendors, rights of—proviso, s. 3.

Judgment when and how to be rendered, s. 4.

Immoveables by fiction of law; case of, provided for, s. 5.

Property when in different districts, judgment must be obtained in each—proviso, s. 6. *But see below* 14, 15 V. c. 60, s. 2.

Oppositions founded on privileges and hypothecs when and where to be filed; no exception allowed; proviso, s. 7. *But see* section 8.

Dower *non ouvert* and substitutions not affected by ratification, s. 8.

Seignior need only file opposition for arrears of dues, s. 9.

Moneys how to be distributed among opposants, s. 10.

Fees—what only allowed, s. 11.

Judgment how to be rendered, when oppositions, and when none, s. 12.

Duty of prothonotary, s. 13.

Voluntary *décrets* abolished, s. 14.

Schedule—Form of Notice.

RATIFICATION OF TITLE,

14, 15 V. c. 60—1851.

When property situate in two districts or circuits, proceedings may be prosecuted in either as though property wholly situate in one, s. 2.

REAL ACTIONS,

14, 15 V. c. 60—1851.

Cause of, held to have arisen in district or circuit where property situate, s. 1.

Where situate in two districts or circuits, may be brought in either, and judgment executed accordingly, s. 2.

In cases of absences, all notices after advertisement may be made at office of prothonotary or clerk in which action pending, s. 3.

Court may when necessary appoint arbitrators or *experts* on behalf of absentees in actions *en partage* or *licitation*, *ib.*

REAL ESTATE OR PROPERTY,

12 V. c. 197—1849.

Aliens generally may hold and transmit real estate as natural born British subjects, s. 12.

And see Lands.

REASONS OF APPEAL, *See* Appeals.

REBELLION A JUSTICE,

25 G. 3, c. 2—1785—85.

In matters of seizure, how punished, s. 37.

14, 15 V. c. 90—1851.

All courts in Lower Canada to have same powers in case of resistance to sale or other incidental proceedings, as in case of resistance to seizure, s. 3.

REBELLION,

Indemnity for acts done in suppressing, 2 V. (2) c. 14—2 V. (3) c. 66—3, 4 V. c. 10.

12 V. c. 13—1849.

Her Majesty's general pardon granted to offenders.

REBELLION LOSSES,

9 V. c. 65—1846.

Appropriation for paying, s. 1.

Issue of debentures for above amount, and how payable, s. 2.

But see below 12 V. c. 58; s. 3.

Sect. 3 is repealed by 13, 14 V. c. 70.

Sect. 4 is repealed by 10, 11 V. c. 9, s. 22.

Calling in debentures; accounting and interpretation clauses, sections 5, 6, 7, 8, *ib.*

12 V. c. 58—1849.

Issue of debentures for purposes of this Act authorized; form, &c., ss. 1, 2.

Holders of debentures under 9 V. c. 65 may exchange the same for debentures under this Act, s. 3.

Proviso as to Lower Canada marriage license fund, *ib.*

REBELLION LOSSES,

Calling in debentures, s. 4.

Debentures under this act to be distinguished from others; and separate accounts kept, s. 5.

Five commissioners to be appointed, their oath of office and remuneration, &c., ss. 6, 7, 8.

Debentures under this act and 9 V. c. 65, not to exceed £100,000, s. 9.

Commissioners, powers and duty of; place of sittings, power to summon witnesses, ss. 10, 11, 12, 13.

To report their proceedings to governor before 1st Sept. 1850, s. 14.

Provision in case appropriation be insufficient, *ib.*

16 V. c. 17—1852.

Certain proceedings and report of commissioners though after 1st Sept. 1850, confirmed.

RECEIVERS, (OF STOLEN GOODS,)

4, 5 V. c. 25—1841.

May be tried as accessories after the fact, or for a substantive felony, s. 46.

Where original offence a misdemeanor, may be prosecuted for misdemeanor, s. 47.

Where to be tried, s. 48.

Of property in cases punishable on summary conviction, how triable; s. 52.

See also 18 V. c. 92, ss. 17, 18, &c. *And as to Letters, see Post Office, 13, 14 V. c. 17, ss. 15, 16.*

RECIPROCITY WITH BRITISH NORTH AMERICAN COLONIES,

13, 14 V. c. 3—1850.

The Governor in council authorized to admit the produce of, duty free, and when.

RECIPROCITY WITH THE UNITED STATES,

18 V. c. 1—1854.

Act to give effect to treaty with the United States of America, signed the 5th day of June, 1854.

Upon treaty taking effect, articles enumerated in schedule, being the growth and produce of the United States, to be admitted free of duty, so long as treaty remains in force, s. 1.

The Governor in council authorized to make orders for carrying such treaty into effect, s. 2.

Act 12 V. c. 3, repealed, s. 3.

Schedule of articles which shall be free of duty.

18 V. c. 81—1855.

Bonds and duties mentioned in the preamble and paid or given in contemplation that the goods would be free under the Treaty, may be cancelled and remitted, s. 1.

RECOGNIZANCES,

34 G. 3, c. 6—1793—101.

How and when estreated into courts of King's Bench, s. 35.

But see 12 V. c. 38, s. 97.

RECOGNIZANCES,

35 G. 3, c. 1—1794—110.

Courts of King's Bench may proceed on, though taken in district not within its jurisdiction, s. 5. *But see* 12 V. c. 38, s. 8, transferring power to Superior Court.

4, 5 V. c. 24—1841.

Not to be estreated in certain cases without judge's order, s. 49.

12 V. c. 38—1849.

To the crown, how and by whom to be enforced for the future, s. 97.

14, 15 V. c. 95—1851.

When and how transmitted to clerk of the peace by justice in cases of summary convictions, ss. 3, 8, 15.

Defendant when may be committed or discharged on recognizance, ss. 12, 15.

Defendant may be detained until return of warrant of distress, unless he give, s. 18.

14, 15 V. c. 96—1851.

Prosecutor and witnesses in indictable offences may be bound over by; form of, s. 12.

To be transmitted to court where trial had, *ib.*

Prisoner when may be discharged on, s. 13.

In case of non-appearance, recognizance to be transmitted to clerk of the peace, with certificate thereof endorsed thereon, *ib.* *And see* Bail—Justices of the Peace.

See also Estreats.

RECORD,

4, 5 V. c. 25—1841.

Stealing, or fraudulently removing, obliterating or destroying any record, writ or proceeding of any court of justice, to be a misdemeanor and how punishable, s. 25.

RECORDS,

30 G. 3, c. 8—1790—610.

Governor in council to make orders concerning old public French records.

Persons possessed of any to surrender the same.

12 V. c. 37—1849.

Of former court of appeals to be transferred to court of Queen's Bench, appeal side, s. 20.

Of former criminal courts of Queen's Bench, to be transferred to court of Queen's Bench, crown side, s. 37.

12 V. c. 38—1849.

Of superior court to be transmitted to place where *enquête* is taken, s. 30.

Or jury trial had, s. 34.

To be transferred from former courts of Queen's Bench to superior court, s. 38.

And from inferior terms of Queen's Bench to circuit court, s. 40.

RECORDS,

Of circuit court in appealed cases when to be transmitted to superior court, and when to be remitted to circuit court, s. 56.

Of circuit court, to be transmitted to circuit where *enquête* is taken, s. 61.

Of circuit court, to be transmitted to superior court in case of recusation, s. 65.

Of circuit court, may be called up by superior court, in case of oppositions to execution against lands, s. 72.

Of old circuit court to be transferred to new, s. 77.

Of commissioners' courts at certain places to be transferred to circuit court, s. 81.

RECTORS, *See* Clergymen—Registers.

RECTORIES,

14, 15 V. c. 175—1841.

So much of the Imp. Act 31 G. 3, c. 31, as relates to, repealed.

RECUSATION,

7 V. c. 19—1843.

Of commissioners of small causes provided for, s. 12.

12 V. c. 38—1849.

Of judge of circuit court how proceeded upon, s. 65.

18 V. c. 105—1855.

Of judges restricted to relationship of cousin german.

And see Appeals, Court of.

REFORMED PRESBYTERIAN CHURCH,

See Presbyterian Churches, &c.

REGISTERS OF MARRIAGES, BAPTISMS AND BURIALS,

35 G. 3, c. 4—1795—611.

Registers, two in number, by whom to be kept, s. 1. *And see* 7 G. 4, c. 2.

Both to be authentic; entries, how and when to be made, *ib.*

Register books, whence furnished, and how authenticated, *ib.* *But see* 2 V. (3) c. 4.

Such registers to be evidence, *ib.*

One to remain with rector, &c., and the other to be deposited in court of King's Bench, *ib.*

Distinction as to manner of authenticating the two, *ib.*

Rectors, &c., to make an index, s. 2.

Baptisms, marriages and burials,—entries of, how to be made, ss. 3, 4, 5.

Rector, &c., to transmit one register to court of King's Bench of district, (*Superior court now*) within 6 weeks after expiration of year, and retain the other, s. 6.

Certified copies from either to be evidence, *ib.*

Penalty on rector, &c., for non-compliance; not to prejudice action in damages by party suffering, s. 7.

REGISTERS OF MARRIAGES, BAPTISMS AND BURLIALS,

Act to extend to all religious communities and hospitals, s. 8.

Penalties how recovered and applied, s. 9.

Registers of Christ Church, Montreal, made valid, s. 10.

Duplicate to be made, *ib.*

Certain informal registers—when to be held valid, s. 11.

Judge not to sign until oath made as to its truth, s. 12.

Original to be kept by rectors, &c., and duplicate deposited in court of King's Bench, *ib.*

Omissions in former registers, how to be rectified; proviso, where no registers have been kept, s. 13.

Act not to prevent proof of baptisms, &c., by witnesses or family registers, *ib.*

Penalty for forging or altering any entry or destroying register, s. 14.

Title 20 of Ordinance of 1667, and Declaration of 9th April, 1736, repealed so far as it relates to registers, s. 15.

Copies of Act to be transmitted to rectors, &c., and churchwardens, s. 16.

7 G. 4, c. 2—1827—617.

Doubts removed as to who may keep registers under above Act.

Certain marriages declared valid, s. 2.

2 V. (3) c. 4—1839—616.

Registers how to be authenticated, ss. 1 to 3.

Certified copies to be authentic, *ib.*

And see Baptists—Congregational Societies—Free Will Baptists—Gaspé—Jews—Methodist Protestants—Methodist New Connexion—Presbyterians—Secession Church of Scotland—Universalists—Wesleyan Methodists. *See also* Aliens—Convictions—Sheriff's Sales.

REGISTERS OF HYPOTHECS, INCUMBRANCES, &c.

4 V. c. 30—1841—195.

How authenticated; memorials how to be entered therein, s. 19.

Belonging to offices hereby abolished, to be transferred to district registry offices, s. 53. *But see* 7 V. c. 22, ss. 3, 4.

7 V. c. 22—1843.

Registers of former county offices, to be returned to county offices hereby established, s. 3.

Under 4, V. c. 30 to form part of record of respective counties in which they have been kept, but registrar to transmit copies to county offices where property is situate, s. 4. *And see* Registration of Deeds, &c.

REGISTERS OF FORMER COURT, *See* Records.

REGISTRAR OF DEEDS, &c.

Appointment, powers and duties under Registry Ordinance.

See Registration of Deeds, &c., and more especially, Ordinance 4 V. c. 30, sections 5 to 9, 19, 20, 45, 47 to 50—Act 7 V. c. 22, sections 2, 4—Act 12 V. c. 48, sections 2, 3—Act 14, 15 V. c. 93 sections 1, 2; 3, 5.

REGISTRAR OF DEEDS, &c.

18 V. c. 99—1855.

To remain in office and bonds to remain valid notwithstanding removal of office under this Act, s. 6.

Having custody of deeds, &c., may grant copies, &c., though lands no longer in his division, s. 9.

19, 20 V. c. 15—1856.

Penalty on, for not complying with this Act as to mode of entering and registering deeds, s. 3.

19, 20 V. c. 102—1856.

County registrar hereafter to give security to the amount of £1000 only, *non obst.* 14, 15 V. c. 93.

Proviso, Act not to affect registrars at Quebec, Montreal, Three-Rivers and Sherbrooke, *ib.*

Security of registrars appointed since 18 V. c. 99 reduced to above amount, s. 2.

Duties under Municipal Corporations Acts, *ib.* See Municipal Corporations—*more especially* 18 V. c. 100, ss. 20, 27, 29, 30.

Duties as to elections for Legislative Council and Assembly, *ib.* See Elections—Returning Officers.

REGISTRATION OF DEEDS, &c.,

10, 11 G. 4, c. 8—1830—223.

Registry offices established in counties of Drummond, Sherbrooke, Stanstead, Shefford and Missisquoi.

1 W. 4, c. 3—1831—226.

Above Act amended and extended, s. 1.

2 W. 4, c. 7—1832—227.

Period limited by section 4 of 1 W. 4, c. 3, extended.

4 W. 4, c. 5—1834—227.

Act 10, 11 G. 4, c. 8 extended to lands in free and common socage in county of Two Mountains and Acadie.

The foregoing Acts are repealed by 4 V. c. 30, s. 53, but all proceedings under them remain valid.

4 V. c. 30—1841—195.

Ordinance to regulate the registering of titles to, and charges on lands, and for the improvement of the law with respect to the alienation and hypothecation of real estate.

Memorials of all deeds, contracts in writing, &c., and wills, made after 31st Dec., 1841, by which any real estate may be affected, may be enregistered, s. 1. *But see* 7 V. c. 22, s. 5—*and as to registration by extracts, see below* 19, 20 V. c. 15, s. 2.

All such deeds, &c., to be inoperative against subsequent *bonâ fide* purchasers or incumbrancers, in certain cases, *ib.* *But see* 7 V. c. 22, s. 9, and 8 V. c. 27, s. 7.

Notice of prior enregistered sale, &c., not to vitiate registered title of subsequent purchaser, &c., *ib.*

Punishment of persons making double sales, &c., *ib.*

REGISTRATION OF DEEDS,

What privileged claims need not be enregistered, s. 2. *And see below* 6 V. c. 15, s. 2—9 V. c. 27, s. 36—13, 14 V. c. 40, s. 41—13, 14 V. c. 44, s. 5—18 V. c. 3, s. 27—18 V. c. 75, and 18 V. c. 100, s. 52, par. 9, and s. 67, par. 2.

Registration only to have above effect between parties deriving title from same grantor, &c., s. 3.

Time within which all deeds, &c., in force on 31st Dec. 1841, must be registered, s. 4. *But see* 7 V. c. 22, s. 12, *extending time to 1st Nov. 1844.*

Effect of registration within time specified, *ib.*

Original grants, &c., need not be registered, *ib.*

Registry offices established, *repealed by* 7 V. c. 22, s. 5.

Registrar to appoint deputies; and when: Penalty for neglect, how recovered and applied, s. 6. *And see below* 12 V. c. 48, s. 3.

Sheriff to notify provincial secretary of death of registrar, s. 7.

Registrar to take oath of allegiance and office; oaths to be transmitted to clerks of the peace, s. 8.

What recognizances to be entered into by registrar, *ib.* *But see below* 14, 15 V. c. 93, and 19, 20 V. c. 102.

Recognizances, when shall become void, s. 9.

Memorials of deeds, wills, notarial obligations, contracts of marriage, judgments, &c., appointments of Tutors, &c., how to be made, and what to contain, s. 10.

Memorials how to be enregistered—original or notarial copy to be produced, and certificate to be endorsed thereon, s. 11. *But see below* 8 V. c. 27, s. 1.

Memorials executed out of district, or in British Possessions or Foreign States, how to be enregistered, s. 12.

Memorials how to be enregistered, where more than one writing affecting same lands, s. 13.

And see as to above 4 sections—below 7 V. c. 22, s. 7, and 8 V. c. 27, ss. 1, 2.

Memorials of wills when may be enregistered; proviso, when concealed, &c.; final limitation, s. 14.

Memorials of claims for *quint, lods et ventes and relief*; when may be enregistered, s. 15. *But see below* 6 V. c. 15, s. 2.

Memorials for arrears of interest; when necessary and how made, s. 16. *But see below* 7 V. c. 22, s. 10.

Provisions of ordinance not to extend to leases for less than 9 years, s. 17.

Of memorials of hypothecs within 10 days of bankruptcy of no effect, s. 18. *But see* 7 V. c. 10, s. 37.

Registers how authenticated; memorials how to be entered and filed, s. 19.

Books, what to be kept by registrar, and what to contain, s. 20. *And see below* 12 V. c. 48, s. 2, and 19, 20 V. c. 15, s. 1.

Married men, tutors, &c., to cause memorials to be enregistered of all claims of wives, minors, &c., against their estates, s. 21. *And see* 7 V. c. 10, s. 79.

Penalty for contravention, *ib.*

REGISTRATION OF DEEDS, &c.,

Subrogate tutors, and parties concerned in *avis de parents* to cause memorial to be enregistered in default of tutor, &c., s. 22.

To be jointly and severally liable in damages for neglect, *ib.* But see below 12 V. c. 48, s. 1, repealing this section except as regards subrogate tutors.

Above parties failing to enregister, wife, minor, &c., or any friend may cause memorial to be enregistered, s. 23.

Actions not to be brought by married men, tutors, &c., *és qualités* until memorial enregistered, s. 24.

Memorials of hypothecs in contracts of marriage of minors by whom to be enregistered, s. 25.

Penalty for neglect, *ib.*

Hypothecs resulting from appointment of tutors, &c., may be restricted to certain lands, and how, s. 26.

General legal hypothec arising from same cause may likewise be restricted, s. 27.

General hypothec, not to result from any contract after 31st December, 1841, s. 28.

All conventional hypothecs to be special and for a sum certain, *ib.* But see below 16 V. c. 206, s. 7.

Legal hypothecs, what to subsist after 31st December, s. 29.

Hypothecs arising from judgments how restricted, s. 30.

Privileged creditors—1, Vendors—2, Lenders of money for purchase of real estate, with certain proviso;—3, Co-heirs and co-partitioners;—4, Architects, builders and workmen; proviso;—5, Lenders of money to pay workmen; proviso, s. 31. See also as to other privileges, below 9 V. c. 27, s. 36—13, 14 V. c. 40, s. 41, and 13, 14 V. c. 44, s. 5—18 V. c. 3, s. 27, and 18 V. c. 76, and 18 V. c. 100, s. 52, par. 9, and s. 67, par. 2.

Privileges, above—how preserved, s. 32.

If not registered within specified time to rank as hypothecs, *quoad* third parties, from date of registration, *ib.* And see below 16 V. c. 206, ss. 4, 6 as to *baillieur de fonds* claims.

Donations—how and where to be enregistered; effect thereof, s. 33.

Section 34 (*Married women—how and when may alienate their real estate*) is repealed by 12 V. c. 48, s. 1.

Dower—how may be released by wife, s. 35. And see below 8 V. c. 27, ss. 3, 4 and 16 V. c. 206, s. 9.

No hypothec for indemnity on husband's property, *ib.*

Married women not to be security for their husbands except as *commune en biens*, s. 36.

All such suretyships, &c., to be null, *ib.*

Dower of children—of what to consist after 31st December, 1841, s. 37.

Free and common soccage lands—how may be conveyed, s. 38. And see below 7 V. c. 22, s. 11.

In such conveyances words "grant, bargain and sell," how to be construed, s. 39.

Deeds, &c., before witnesses to be enregistered at full length, s. 40. But see below 7 V. c. 22, ss. 5, 6.

Certificate to be endorsed on deed, &c., *ib.*

REGISTRATION OF DEEDS, &c.,

Registrars' copies of such deeds, &c., to be received as evidence in case of loss of originals, *ib.*

One witness to attest before registrar as to execution of such deed, &c., s. 41. *But see below* 8 V. c. 27, s. 1.

How such deeds, &c., when executed out of district where lands situate, may be enregistered, s. 42.

How when executed out of province but in Her Majesty's dominions; how in foreign states, s. 43.

Such registry at full length to be deemed an entry by memorial as to effect, s. 44.

What proceedings may be had when claim, &c., discharged, s. 45. *And see below* 7 V. c. 22, s. 8, and 16 V. c. 206, ss. 1, 2, 2.

Forms of memorials and certificates of discharge, s. 46.

Registrar—Duty of, when ceasing to hold office and of representatives of those who die, s. 47.

Penalty for contravention—Misdemeanor and damages, *ib.*

Fees, what may be taken by registrar, s. 48.

Hours of attendance; searches, s. 49.

Penalty on, for neglect of duty, how recovered, s. 50.

Penalties on persons forging, &c., any memorial, &c., or forswearing themselves, s. 51. *Repealed as to forgery by* 10, 11 V. c. 9, s. 22.

Provisions of this Ordinance to be binding on Crown; memorials on behalf of, how and by whom to be enregistered and what to contain, s. 52. *But see below* 7 V. c. 22, ss. 5, 7, and 8 V. c. 27, s. 1.

10, 11 G. 4, c. 8; 1 W. 4, c. 3, and 4 W. 4, c. 5, repealed, s. 53.

Acts done under them not to be invalidated, *ib.*

Registers belonging to offices hereby abolished to be transmitted to district registry offices, *ib.* *But see below* 7 V. c. 22, ss. 3, 4.

Registry of deeds at full length under above acts to have same effects as if registered by memorial, *ib.*

Uniform books to be provided by provincial secretary; fresh ones to be at expense of registrars, s. 54. *And see below* 12 V. c. 48, s. 2.

Registry offices, how and by whom to be inspected, s. 55. *But see* 18 V. c. 99, s. 7.

Interpretation of words, "Governor of the Province," s. 56. Governor to proclaim when Ord. in force (31st December, 1841), s. 57.

What proceedings to be had if 4 V. c. 48 not in force when this Ordinance comes in force; registration districts, how formed, and offices established therein, s. 58. *But see below* 7 V. c. 22, ss. 1, 2.

Ordinance to be permanent and public, s. 59.

Schedules, forms of:—Oaths—Oath of Allegiance—Oath of Office—Recognizances—Deed of Bargain and Sale—Memorials and Certificate of Discharge.

6 V. c. 15—1842.

Period limited by 4 V. c. 30, for registration of certain instruments, extended to 31st December, 1843, and if not

REGISTRATION OF DEEDS, &c.,

then registered, the same to be of no effect as against subsequent *bonâ fide* registered purchaser, &c., s. 1.
 Claims for seigniorial dues need not be enregistered, s. 2.

7 V. c. 22—1843.

Sect. 5 and part of s. 58 of 4 V. c. 30, repealed from 1st March, 1844, s. 1.

Registry offices, how to be established in every county, s. 2.
But see 18 V. c. 99.

Registrar, how appointed and removed, *ib.*

Registers, &c., of former county registry offices, transmitted to district offices under 4 V. c. 30, to be returned to county registry offices hereby established, s. 3.

Registers, &c., under 4 V. c. 30, to remain and form part of records of respective counties in which they have been kept, but registrar to transmit copies to county offices within which property is situate; fees, s. 4.

All instruments, &c., designated in sect. 1 of 4 V. c. 30, may be registered at full length by transcription into the registers in offices established by this Act, and how, s. 5.
 Such registration to have all the effect of a memorial, *ib.*
See also 19, 20 V. c. 15, s. 2.

Certificate endorsed thereon to be evidence of registry, *ib.*
 Rights of all parties interested preserved by registration at full length, s. 6.

Certificate of registrar to contain or be endorsed on copy of memorial when so registered, s. 7.

Partial discharge of incumbrance how and when to be entered, s. 8.

Incumbrancer refusing certificate of discharge liable to action, *ib.* *And see below* 16 V. c. 206, ss. 1, 3.

No registration of title to land, subsequent to title of person in open and public possession, to affect such title though not registered, s. 9.

Sect. 16 of 4 V. c. 30 explained, s. 10.

Inexpensive form of hypothecation for certain counties and lands in free and common soccage, s. 11.

Period for registration under 4 V. c. 30, s. 4, extended to 1st November, 1844; proviso as to prior registered claims, s. 12.

Registrar to give notice of preceding section, and how; proviso in case of omission so to do, s. 13.

8 V. c. 27—1845.

Memorials how and by whom may be registered, s. 1.

Before whom may be attested, *ib.*

Effect of such registration, *ib.*

Memorials executed in any part of this Province may be registered on observance of above formalities, s. 2.

Dower in s. 35 of 4 V. c. 30, to include both customary and conventional, s. 3.

Dower, married women may release, by deed posterior to that by which property alienated, s. 4.

Provisions as to duty of registrar with respect to registration of deeds, &c., filed prior to 10th November, 1844, ss. 5, 6.

REGISTRATION OF DEEDS, &c.,

What sufficient certificate of registration of such deeds, &c.,
ib.

Duration of Act, s. 8.—By 19, 20 V. c. 85, *this Act is continued to 1st January, 1857, and to the end of the then next session.*

Registration of deed, &c., creating charge, &c., on land subsequent to title of party in open and public possession, not to affect such title though only registered subsequently, s. 7.

12 V. c. 48—1849.

Sect. 22 of 4 V. c. 30, repealed, except as to subrogate tutors, s. 1.

Sect. 34 repealed, as though never enacted, *ib.*

Registrars in counties of Quebec and Montreal may keep separate books for registration of certain classes of deeds, *non. obs.* 4 V. c. 30, s. 2.

Deputy registrar may resign or be removed by principal, s. 3.

Successor to be appointed within 20 days; penalty, *ib.*

14, 15 V. c. 93—1851.

Provisions of s. 8 of 4 V. c. 30 declared applicable to registrars of counties, s. 1.

Security what to be given by registrars in future, s. 2. *But see* 19, 20 V. c. 102.

Registrars to reside within 5 leagues of office, s. 3.

Deeds of donation—what deemed a sufficient registration or insinuation, s. 4.

Proviso, as to effect of registration in one district where land given is situate in two, *ib.*

Such donations not to be null for want of being also enregistered according to laws in force at passing of 4 V. c. 30:

Proviso, as to acquired rights, *ib.*

Act not to extend to registrar of county of Megantic—Division No. 2, s. 5.

16 V. c. 206—1853.

Action for cancelling registration of any claim, when, how and by whom may be brought, s. 1.

Registrar to cancel entry on production of certified copy of judgment, and how; penalty for disobedience, s. 2.

Above clauses to extend to registrations before and after act, s. 3.

Baillieur de fonds declared bound to register within 30 days from passing of deed, &c., ss. 4, 5.

Baillieurs de fonds claims created before this act allowed a delay until 14th December, 1853, for registration, s. 6.

Judgments rendered not to be affected; nor rights of parties not registered until expiration of delay, *ib.*

Sect. 28 of 4 V. c. 30, requiring a sum certain to be specified in conventional hypothecs not to apply to donations subject to charges appreciable in money, but hypothecary claim to be good for sum equivalent to value of charges, s. 7.

Punishment of parties hypothecating property to which they have no claim, s. 8.

REGISTRATION OF JUSTICE, &c.,

Dower, right of married women to release, extended to cases of hypothecation, s. 9.

18 V. c. 99—1855.

To establish a registry office in each electoral county.

Electoral county when to be proclaimed county for registration, s. 1.

Effect of such proclamation, s. 2.

Existing registry offices in what case to be removed and registrar appointed, s. 3.

Present registry offices to remain until another appointed under this act, s. 4.

Provision if more than one office, s. 5.

Registrar to remain in office, and bonds to be valid notwithstanding removal of office, s. 6.

Duty of county municipality with respect to keeping offices, &c., in repair; penalties for neglect how recovered, s. 7.

Governor may appoint inspectors of registry offices; their powers and duties, *ib.*

Municipality of registration county may require any registrar to furnish registrar of county with a transcript of all deeds, &c., affecting property in county, s. 8.

Use and effect of such transcripts, *ib.*

Registrar having custody of deeds, &c., may grant copies though land no longer in his division, s. 9.

Discharge of hypothecary claims where to be registered, *ib.*

Electoral county defined for the purposes of this Act, s. 10.

Exceptions: Magdalen Islands, Ste. Anne des Monts, and Cap Chat; Quebec, Montreal, Three-Rivers, Sherbrooke, County of Compton; Island of Orleans; remainder of Montmorenci, s. 11.

Magdalen Islands, Ste. Anne des Monts and Cap Chat to be a Registration division for the purposes of this Act, ss. 12, 13.

Interpretation clause, s. 14.

18 V. c. 100—1855.

Registry offices—may be constructed by municipal county councils, s. 19, par. 3.

18 V. c. 101—1855.

Of substitutions in courts of justice abolished, s. 1.

Registration in registry office to be equivalent thereto; when and within what delay to be registered, s. 2.

19, 20 V. c. 15—1856.

Minute or day-book to be authenticated as provided by sect. 19 of 4 V. c. 30, s. 1.

Entries how to be made and acknowledgements thereof given, *ib.*

Registration may be made by extracts certified under 13, 14 V. c. 39, s. 10; fee, s. 2.

Penalty on registrar not complying with this Act, s. 3.

How and by whom may be recovered, *ib.*

Memorials may be signed by a mark, s. 4.

REGISTRATION OF BRITISH PLANTATION VESSELS,

8. V. c. 5—1845.

Commencement of Act, s. 1.

All persons claiming property in any ship or vessel over fifteen tons, may register the same and obtain a certificate, s. 2.

Form of certificate, *ib.*The shares of different owners to be endorsed on certificate, *ib.*

Collectors of customs to make registry and grant certificates of ownership, s. 3.

Certificates of ownership to be granted for vessels at the ports to which they belong, s. 4.

Books of registry of ownership to be kept by the collector, s. 5.

Declaration to be made and subscribed before certificate of ownership is granted, s. 6.

Form of declaration, *ib.*

Vessels to be surveyed previous to certificate of ownership being granted, and the master or owner to sign such survey if he concur in the description, s. 7.

Rule for admeasurement of tonnage, s. 8.

When the master in command is changed, such change to be indorsed on certificate of ownership, s. 9.

Name of the vessel not to be changed—to be painted on the stern, under penalty of £20, s. 10.

Builder's certificate to be produced on application for certificate of ownership, s. 11.

In case of alteration of any vessel beyond a certain extent, certificate to be granted *de novo*, s. 12.

Property in vessel to be transferred by bill of sale, s. 13.

Bill not void by unimportant errors of recital, *ib.*

Property in vessels to be divided into sixty-four parts or shares, s. 14.

Declaration upon first registry to state the number of shares held by each owner; provision as to partners; *ib.*

Not more than thirty-two persons to be owners at one time, s. 15.

Equitable title of minors, &c., not to be affected, *ib.*Nor rights of any joint stock company, appointing trustees *ib.*

Bills of sale not effectual until produced to the collector and registered, s. 16.

Form of indorsement of transfer, *ib.*Collector to notify inspector general thereof, *ib.*

Entry of bill of sale to be valid, except as against subsequent purchasers and mortgagees first registered, s. 17.

Thirty days to elapse, before entry of any other bill of sale, s. 18.

Nature of the priority intended by this Act, *ib.*Provision in case any certificate of ownership be lost or mislaid, *ib.*

Bill of sale may be produced, after entry, at other ports, and transfer endorsed on certificate of ownership, s. 19.

If upon certificate *de novo*, any bill of sale be not recorded, the same to be then produced, s. 20.

REGISTRATION OF BRITISH PLANTATION VESSELS,

Upon change of property, certificates *de novo* may be granted, if desired, s. 21.

Copies of declaration, and extracts from books of registry to be evidence at law, s. 22.

As to transfers by way of mortgage, s. 23.

Mortgagees not to be deemed owners, *ib.*

Rights of mortgagees when registered, not affected by bankruptcy of mortgagor, s. 24.

Penalty £100 stg. for false declaration, falsifying certificate, &c., s. 25.

Penalties, how recoverable, s. 26.

Act to cease whenever the Imperial Registry Act is extended to Inland waters, s. 27.

This Act is not compulsory, in so far that there is no penalty for not registering, except the loss of the benefit of its provisions.

13, 14 V. c. 24—1850.

Provision for registration under the foregoing Act, of any vessel belonging to a body corporate, or limited partnership.

REGISTRATION OF BRITISH VESSELS,

See Imp. Act 17, 18 V. c. 104.

REGISTRATION AND STATISTICS,

10, 11 V. c. 14—1847.

Board of, constituted, s. 2. *Sections 5 to 15 are repealed.*

See also Census and Statistics.

REGISTRY OFFICES,

• See Registration of Deeds, &c.—*more especially ordinance* 4 V. c. 30, ss. 5, 53, 55, 58—Act 7 V. c. 22, and 18 V. c. 99.

REHEARING,

9 G. 4, c. 28—1829.

In what case allowed after judgment, to absentees, s. 2.

But see 12 V. c. 38, s. 94.

RELATIONS AND FRIENDS, COUNSELS OF,

See *Avis de Parens*.

RELATIONSHIP,

41 G. 3, c. 8—1801—144.

Of witnesses in civil suits regulated.

18 V. c. 105—1855.

Recusation of judges on ground of, restricted.

RELIGIOUS COMMUNITIES,

2 V. (3) c. 26—1839—629.

All lands in possession of, to be held in mortmain for benefit of such community, s. 1.

Provided that titles of such lands be registered within two years in office of prothonotary for the district and by whom, s. 2.

And in default of title certificate of possession, *ib.*

RELIGIOUS COMMUNITIES,

Title, &c., what to contain, *ib.*

Trustees to be appointed to whom lands may hereafter be conveyed; their powers; proviso as to parishes established or hereafter to be established, s. 3. *But see* 19, 20 V. c. 103.

Trustees to enregister such lands within two years; proviso as to extent of land that may be held in Quebec and Montreal, s. 4. *But see* 9 G. 4, c. 75, s. 6, *as to Jews*; 1 W. 4, c. 56, s. 3, *as to Presbyterians*, and 8 V. c. 35, ss. 2, 4, *as to Unitarians*.

Rights of the crown and others saved, s. 5.

See also the different denominations by name.

8 V. c. 42—1845.

May invest in real estate moneys arising from commutation of seigniorial dues, s. 15. *But see* Seigniorial Tenure.

12 V. c. 56—1849.

May take stock and make loans, &c., to joint stock companies for the construction of roads, &c., under this Act, s. 31.

18 V. c. 3—1854.

Holding seigniories in mortmain, may invest in real estate moneys accruing from redemption of *rentes constituées* on lands in such seigniories, or out of special seigniorial fund, s. 25.

19, 20 V. c. 103—1856.

Ord. 2 V. c. 26 cited and amended.

Manner of appointing successors to trustees, how to be determined when not set forth in deed of grant, &c., s. 1. Record of proceedings at meeting held under preceding section, to be made and deposited in archives of congregation, s. 2.

Attested copy thereof to be deposited with a public notary, whose copies shall be *prima facie* evidence, *ib.*

Effect of such determination, s. 3.

See also Mortmain—St. Sulpice—Seigniorial Tenure—and *the different Religious denominations by name.*

RELIGIOUS WORSHIP, See Public Worship.**RELIGIOUS BODIES AND ASSOCIATIONS, (PRIVATE ACTS IN FAVOR OF,)**

See Supplement,—and the several Bodies by their names.

RENT, See Lessors and Lessees.**RENTES CONSTITUÉES,**

7 V. c. 22—1843.

Registration of deed to have effect of saving hypothec for 5 years' arrears, and those of current year, s. 10.

8 V. c. 42—1845.

Commutation money under this act, (Seigniorial Commutation) may be secured by, with same privilege as seigniorial dues, s. 2. *But see* 18 V. c. 3, *repealing this act except as to certain seigniories mentioned in section 35.*

RENTES CONSTITUÉES,

18 V. c. 3—1854.

Yearly value of seigniorial rights on each lot to become; when payable, s. 6, par. 5.

Value of right of seignior *dominant* to be capital of; how payable, &c., *ib.* par. 6. *See also sections 22 to 31 of same Act, and 18 V. c. 103, ss. 1 and 33; Title Seigniorial Tenure.*

19, 20 V. c. 59—1856.

And *viagères*—oppositions *à fin de charge* may be filed for preservation of, when secured by privilege of *baillieur de fonds*.

RENTES FONCIERES NON RACHETABLES,

19, 20 V. c. 53—1856.

Not allowed on lands in free and common soccage or *franc alevu roturier*, s. 18.

Such *rentes* to be always redeemable, *ib.*

REPORTS, LAW, See Law Reports.**REPRESENTATION, PARLIAMENTARY,**

16 V. c. 152—1853.

To enlarge that of the people of this province.

Counties, ridings, cities and towns hereinafter mentioned to be those on which representation shall be based after the end of the present parliament, s. 1,—viz :

LOWER CANADA.

Description and boundaries of the several counties and electoral divisions, in Lower Canada, viz :

Gaspé—Bonaventure—Rimouski—Temiscouata—Kamouraska—L'Islet—Montmagny—Bellechasse—Lévis—Dorchester—Beauce—Megantic—Lotbinière—Chicoutimi—Tadoussac—Saguenay—Montmorency—Quebec, county of—Quebec, city of—Portneuf—Champlain—Three Rivers, town of—St. Maurice, county of—Maskinongé—Nicólet—Yamaska—Berthier—Joliette—Montcalm—L'Assomption—Terrebonne—Two Mountains—Argenteuil—Ottawa—Pontiac—Drummond—Arthabaska—Sherbrooke—Wolfe—Sherbrooke, town of—Compton, county of—Stanstead—Shefford—Missisquoi—Missisquoi, east riding—Missisquoi, west riding—Richelieu—St. Hyacinthe—Rouville—Bagot—Iberville—Verchères—Chambly—Laprairie—St. John's—Napierville—Chateauguai—Beauharnois—Huntingdon—Soulanges—Vaudreuil—Laval—Montreal—Montreal, east riding—Montreal, west riding—Montreal, city of. *But see 18 V. c. 76; changing the names of some of these Counties and altering the boundaries of others.*

UPPER CANADA:

Counties, cities and towns to be bounded as they now are for the purposes of representation, except as hereinafter provided, s. 2.

REPRESENTATION, PARLIAMENTARY,

UPPER CANADA.

Counties to include towns and villages, except such as are specially excepted, or declared to be electoral divisions, *ib.*

Counties of Huron and Bruce, and Lennox and Addington, united for representation—Each union of counties to form an electoral division.

The following counties to be divided into ridings, each to form an electoral division :

County of York to be divided into three ridings, viz : North Riding, East Riding, and West Riding ;

County of Middlesex to be divided into two ridings, viz : East Riding and West Riding ;

County of Oxford to be divided into two ridings, viz : North Riding and South Riding ;

County of Hastings to be divided into two ridings, viz : North Riding and South Riding ;

County of Durham to be divided into two ridings, viz : East Riding and West Riding ;

County of Northumberland to be divided into two ridings, viz : East Riding and West Riding ;

County of Ontario to be divided into two ridings, viz : North Riding and South Riding ;

County of Wentworth to be divided into two ridings, viz : North Riding and South Riding ;

County of Lanark to be divided into two ridings, viz : North Riding and South Riding ;

County of Simcoe to be divided into two ridings, viz : North Riding and South Riding ;

Counties of Leeds and Grenville to be divided into three ridings, viz : North Riding of Leeds and Grenville, South Riding of Leeds, and South Riding of Grenville ;

County of Wellington to be divided into two ridings, viz : South Riding and North Riding ;

County of Waterloo to be divided into two ridings, viz : North Riding and South Riding ;

County of Brant to be divided into two ridings, viz : East Riding and West Riding ;

County of Elgin to be divided into two ridings, viz : East Riding and West Riding ;

The other Counties, to form each an Electoral Division, viz : Counties of—Carleton—Dundas—Essex—Frontenac—Glengarry—Grey—Haldimand—Halton—Kent—Lambton—Lincoln—Norfolk—Peterborough—Peel—Perth—Prescott—Prince Edward—Renfrew—Russell—Stormont—Victoria—Wentworth.

The following cities and towns to form Electoral Divisions : Cities of—Toronto—Kingston—Hamilton—Towns of—Brockville—Niagara—Cornwall—London—Bytown.

Special provisions as to the boundaries of Brockville, Niagara and Cornwall for representation only.

REPRESENTATION, PARLIAMENTARY,

GENERAL PROVISIONS.—LOWER CANADA.

Counties to be represented by one member each ;
 Except United Counties, which will have one member for
 each union ;
 Ridings, by one member, each ; *but see* 18 V. c. 76, *erecting
 Ridings into Counties* ;
 Cities of Quebec and Montreal, by three members, each ;
 Towns of Three-Rivers and Sherbrooke by one member,
 each.

UPPER CANADA.

City of Toronto by two members ;
 Each of the other Electoral Divisions by one member each.

GENERAL PROVISIONS.—LOWER CANADA.

Qualification of electors, same as now existing, except as
 otherwise provided by this Act, s. 4.

Cities and towns returning members not to form parts of
 counties for electoral purposes, nor shall any one vote in
 a county on property in any such city or town, *ib.*

Qualification of electors in townships or parts thereof forming
 part of any city or town for the purpose of representation,
 to be the same as that required of electors for counties, *ib.*
Sects. 5, 6, 7 apply only to Upper Canada.

The Governor to appoint returning officers for electoral
 divisions in Lower Canada, where none *ex officio*, s. 8.

Present election laws to apply so far as consistent, *ib.*

Registrar of deeds to be Returning-Officers *ex officio*, *ib.*

Proviso where there is more than one such Registrar in a
 County, *ib.*

Electoral divisions under this Act not to affect divisions for
 other purposes, s. 9.

Proviso, as to gores augmentations, villages, &c. not spe-
 cially mentioned in this Act, *ib.*

Lower Canada Act 9 G. 4, c. 73, and so much of any other
 Act, as may be inconsistent with this Act, repealed, s. 10.
Sect. 11 applies only to Upper Canada.

This Act to come in force after the end of the then present
 parliament, s. 12.

18 V. c. 76—1855.

Alterations in the boundaries of the following counties in
 Lower Canada, s. 1, viz : Yamaska—Drummond—Bagot
 —Two Mountains—Argenteuil—Soulanges—Vaudreuil—
 Laval—Montreal (Jacques Cartier riding,) ss. 1 to 9.

County of Tadousac to be called hereafter county of Sague-
 nay, s. 10.

County of Saguenay to be called county of Charlevoix,
 s. 11.

County of Sherbrooke to be called county of Richmond,
 s. 12.

East riding of county of Missisquoi to be called county of
 Brome, s. 13.

West riding of county of Missisquoi to be called county of
 Missisquoi, s. 14.

REPRESENTATION, PARLIAMENTARY,**GENERAL PROVISIONS—LOWER CANADA.**

Jacques Cartier riding of county of Montreal to be called county of Jacques Cartier, s. 15.

The Hochelaga riding of county of Montreal to be called county of Hochelaga, s. 16.

Short titles of Representation Acts, s. 17.

See also 18 V. c. 140, *Title Legislative Council, as to Representation in the Legislative Council.*

REPRISE D'INSTANCE,

4 W. 4, c. 4—1834—141.

Actions in, how instituted when *reprenant* resides in another district, s. 1. — *And see* Districts.

RESCISION OF DEEDS, &c.,

34 G. 3, c. 6—1794—101.

Powers awarded to courts of K. B. with regard to, s. 8, *And see* 12 V. c. 38, s. 8—and Lessors and Lessees.

RESISTANCE, See Rebellion à Justice.**RESTITUTION,**

4, 5 V. c. 25—1841.

Owners of stolen property prosecuting to conviction entitled to, s. 49.

RETRAIT COVENTIONNEL,

18 V. c. 103—1854.

Right of, abolished, s. 4.

RETRAIT LIGNAGER,

18 V. c. 102—1855.

And all rights resulting therefrom abolished, s. 1.

Pending proceedings not to be affected, s. 2.

RETURN DAY,

7 V. c. 19—1843.

Of warrants of *saisie arrêt, gagerie et revendication* in commissioner's court, how limited, s. 23.

12 V. c. 38—1849.

What shall be, in superior court, s. 22.

In circuit court, may be altered, in consequence of alteration of terms, s. 77.

What shall be, in circuit court, s. 79.

RETURNS,

12 V. c. 38—1849.

Of writs of summons in superior court, to be made into prothonotary's office, s. 23.

Delay between service and return in superior court, 25.

Delay between service and return in circuit court, s. 50.

How and when to be made when return days are altered after issue of writs, s. 77.

In circuit court, may be received by clerk in certain cases, s. 79.

RETURNS,

12 V. c. 41—1849.

Of writ of *mandamus*, how to be made, s. 12.*See also* Habeas Corpus.

16 V. c. 163—1853.

Of Jesuits' Estates to be made yearly to Provincial Secretary, s. 6.

Copies of returns to be laid before parliament, s. 7.

RETURNING OFFICERS,

14, 15 V. c. 108—1851.

Who shall be, and deputies how appointed, ss. 1, 2.

If there be none *ex officio*, Governor to appoint, s. 3.

16 V. c. 152—1853.

Who shall be *ex officio* for ridings in U. C., s. 7.*See* Elections—Legislative Council—Representation.

16 V. c. 163—1853.

REVENDEICATION, *See* Attachment—*Saisie*.REVENUE INSPECTORS, *See* Auctions—Distillers—Taverns

—Weights and Measures.

REVENUE, MANAGEMENT OF, (COLLECTION)

8 V. c. 4—1845.

To provide for the management of the customs, and matters relative to the collection of the provincial revenue.

Former Acts repealed, s. 1.

Present commissions, bonds, &c., to continue in force, s. 2.

Governor in council to determine what officers are necessary—and fix salaries, s. 3.

No salary to exceed £500 per annum, *ib.* *But see* 12 V. c. 2.

Salaries to be in lieu of all other emoluments, s. 4.

Except disbursements—shares of seizures, &c., *ib.*Officers having £250 a year or more, to exercise no other calling, &c., *ib.*

Governor authorized to make new divisions and regulations s. 5.

Persons employed by the order, or with the concurrence of the governor, to be deemed proper officers for any purpose, s. 6.

Officers employed in one branch may be employed in another, s. 7.

Office hours to be appointed by the governor, s. 8.

Notice thereof to be fixed up in some conspicuous place in such office, *ib.*

What days to be kept as public holidays, s. 9.

Public moneys, how to be accounted for and paid over, s. 10.

Accounts for statistical purposes to be kept, s. 11.

Oath of office to be taken, s. 12.

Penalty for bribery and corruption, s. 13.

Before whom oath in revenue matters may be made, s. 14.

Governor in council may substitute affirmation in any case, *ib.*

Witnesses, in inquiries ordered by the Governor in council, before whom to be sworn, s. 15.

Books and moneys, &c., to belong to Her Majesty, s. 16.

Punishment for fraudulent embezzlement, detainer, &c., *ib.*

Summary process for compelling payment or delivery, s. 17.

REVENUE, MANAGEMENT OF, (COLLECTION)

Revenue officers exempt from other public offices, s. 18.
 Provision for remission of duties, tolls and penalties in certain cases where great injustice or inconvenience would arise, s. 19.

Remission of penalty to operate as pardon, s. 20.

Penalties to belong to Her Majesty, for the use of the province, with power to allow portion to seizing officer, *ib.*

Interpretation clause, s. 21.

This Act is declared to apply to tolls on public works by 9 V. c. 37, s. 21—to Distilleries and the duties on them by 29 V. c. 2, s. 24—and to the Post Office Department by 13, 14 V. c. 17, s. 2.

12 V. c. 2—1849.

8 V. c. 4, amended as respects salaries of collectors of Quebec and Montreal—and made permanent.

See also Public Debt, &c.—and Supplement.

REVERENDS PERES OBLATS DE L'IMMACULÉE CONCEPTION DE MARIE.

Incorporated, 12 V. c. 143.

REWARD,

4, 5 V. c. 25—1841.

Taking any, under pretence of helping recovery of stolen property, without bringing the offender to trial, felony, s. 50.

Advertising for return of stolen property, without inquiry how punishable, s. 51.

RICHMOND AND STANSTEAD,

Sittings of Circuit Court increased, 14, 15 V. c. 91.

RIGHTS OF THE CROWN,

12 V. c. 10—1849.

Saved in Acts, unless expressly bound thereby, s. 5, par. 25.

RIMOUSKI,

Seat of Municipality No. 1 removed, 12 V. c. 127.

County divided into 2 Registration Districts, 12 V. c. 128—13, 14 V. c. 109.

RIOTS,

18 V. c. 100—1855.

Municipalities under this Act may indemnify parties for property destroyed during, s. 15, par. 11.

At municipal elections, how put down, s. 27, par. 6.

RIOTS NEAR PUBLIC WORKS,

8 V. c. 6—1845.

Act to be in force after proclamation in any locality mentioned therein, and to cease to be in force on a like proclamation, s. 1.

Penalty not less than 10s., nor more than 20s., for having possession of arms or weapons while Act in force, without license and within the limits to which it applies, s. 2.

RIOTS NEAR PUBLIC WORKS,

Weapons to be delivered up to magistrate or commissioner, s. 3.

To be returned on Act ceasing to be in force, s. 4.

Weapons unlawfully kept may be seized and forfeited, s. 5.

Penalty not less than £10, nor more than £25, on any person harbouring, concealing, or receiving, s. 6.

Search warrant for, when and how obtained, s. 7.

Weapons found to be forfeited, unless proved to have been lawfully kept, *ib.*

Persons found carrying weapons within the locality to be arrested and committed for misdemeanor, s. 8.

Justices and commissioners to make monthly returns of weapons delivered, &c., s. 9.

Weapons forfeited to be sold, s. 10.

Limitation of actions for things done under this Act, &c., s. 11.

Penalties recoverable before two justices, s. 12.

Provision for a mounted police for carrying Act into effect, s. 13.

Officers of police force to be appointed justices of the peace, their powers as such, s. 14.

Mounted policemen to be deemed constables and peace officers, s. 15.

Expenses to be defrayed by Board of Works, and how charged, s. 16.

14, 15 V. c. 76—1851.

The above Act may be extended to places where works undertaken by incorporated companies, s. 1.

To cease on proclamation, *ib.*

The said Act continued to 1855, &c. s. 2. *Both Acts are now continued to 1st January, 1857, &c., by 19, 20 V. c. 85.*

Expenses to be defrayed by incorporated companies, s. 3.

RIVERS AND RIVULETS,

4, 5 V. c. 24.

Offences committed on navigable rivers, &c., where triable, s. 41. *See also 14, 15 V. c. 5, s. 11.*

4, 5 V. c. 26—1841.

Destroying any sea bank, or wall of any river, &c., felony, s. 12.

6 V. c. 17—1842.

In L. C., penalty for obstructing by throwing waste timber, &c., in; how recovered.

14, 15 V. c. 102—1851.

Banks of, in Lower Canada, proper for floating or conveyance of lumber, to be free to the public, *non obst.* 13, 14 V. c. 40, s. 2—s. 1.

RIVERS, &c., IMPROVEMENT OF, FOR TRANSMISSION OF LUMBER,

16 V. c. 191—1853.

General incorporation of joint stock companies for constructing dams, slides, piers, booms, &c., for that purpose.

RIVERS, &c., IMPROVEMENT OF, FOR TRANSMISSION OF LUMBER,

Five or more persons may form a company for constructing dams, &c., for transmission of timber down any river or stream in Upper Canada, s. 1.

Consent of Owners or award to be obtained before private property is taken, &c., *ib.*

Not to interfere with other companies, *ib.*

Instrument to be executed as per form in schedule and registered, s. 2.

Six per cent. of the capital to be paid up, *ib.*

Report to be laid before the chief commissioner of public works containing certain particulars, s. 3. *See as to Municipalities*, 18 V. c. 84, s. 2.

Works not to be commenced until the report approved, *ib.*

Company incorporated, with power to hold lands, &c., s. 4.

May make by-laws for use of works, s. 5.

Commissioner may disallow such By-Laws, *ib.*

Affairs of the company to be managed by five directors; how chosen, &c., s. 6.

Majority to be a quorum for the transaction of business, *ib.*

Stockholders entitled to one vote for each share, *ib.*

Works may be altered or extended and how, s. 7.

Debentures may be issued for increased expenditure, not exceeding one fourth of the paid up capital, *ib.*

Or stock may be increased, *ib.*

Registration of new subscribers, *ib.*

Their rights and liabilities, *ib.*

Calls on new stock, *ib.*

Shares to be £5 each, and transferable, s. 8.

Company may sue for unpaid calls, s. 9.

Calls not to exceed ten per cent. at any one time, s. 10.

Forfeiture of shares for non-payment, *ib.*

Actions for arrears of calls, ss. 11, 12.

Election of president and other officers, s. 13.

Vacancies, how to be filled up, s. 14.

Differences between the Company and private owners to be referred to arbitration, s. 15.

Conveyance to be executed on payment or tender, *ib.*

Award may be made by any two of the arbitrators, *ib.*

Provision for the appointment of arbitrators, where owners absent or unable to sell, or lands mortgaged, &c., s. 16.

Award to be paid forthwith, *ib.*

Award to be registered, *ib.*

Costs, by whom to be paid, *ib.*

Lands taken, discharged from incumbrances, *ib.*

Indian lands, provision for, s. 17.

Meetings and proceedings of arbitrators, s. 18.

Provision, where works commenced by any other company, s. 19.

Mill sites not to be injured, *ib.*

Act 13, 14 V. c. 75, (protection of Mill owners) extended to works under this Act, s. 20. *The said Act does not apply to Lower Canada. See 18 V. c. 84.*

Company not to improve waters already navigable, s. 21.

Company not to claim any water power, *ib.*

To report annually to the proper municipality the state of receipts and expenditure, tolls, &c., s. 22.

RIVERS, &c., IMPROVEMENT OF, FOR TRANSMISSION OF LUMBER,

Books to be kept and open for inspection to the municipality, *ib.*

Tolls, how to be calculated and limited, s. 23.

Provision in case of any surplus, *ib.*

Tolls to be apportioned on various descriptions of lumber, according to a certain scale, s. 24.

Annual account of the company to contain a schedule of tolls for the following year, s. 25.

Such tolls may be altered or varied by the commissioner of public works, *ib.*

Tolls may be recovered from the owner of the timber, s. 26.

Timber may be seized for non-payment of tolls in certain cases, s. 27.

Malicious injury to the works to be a misdemeanor and how punishable, s. 28.

Penalty for impeding the use of the works, &c., s. 29.

Offenders under this Act may be summoned (or in certain cases arrested and brought) before any justice, s. 30.

Fines how recovered and levied, s. 31.

To whom payable, s. 32.

Stockholders may be witnesses, s. 33.

Limitation of suits, s. 34.

Works, &c., to be completed within a certain time, s. 35.

Upon pain of forfeiture of charter, *ib.*

Provision in case of the abandonment of any work, *ib.*

Companies bound to keep the works in repair, s. 36.

Provision for the union of companies, s. 37.

This Act may be amended, s. 38.

Government may dissolve the company and assume the works on payment of the actual value, *ib.*

18 V. c. 84—1855.

Provisions of the 16 V. c. 191, extended to Lower Canada except 20th sec., s. 1.

Consent of municipality not to be requisite (under the 3rd sec.) but work not to be commenced until 30 days after report made to the Municipal council, s. 2.

Compensation for property taken by the company may be claimed by the owner either in money or stock at his option, s. 3.

Provision when the property is in Lower Canada, s. 4.

Proportionate rate of toll on saw logs altered, s. 5.

Certain formalities dispensed with on the company purchasing any works already commenced, s. 6.

Interpretation clause, s. 7.

RIVIERE DU CHENE,

To provide for improvement of, 12 V. c. 155—13, 14 V. c. 111—14, 15 V. c. 29.

RIVIERE-DU-LOUP, Common of,

To regulate, 5 G. 4, c. 34—3 W. 4, c. 14.

ROAD SURVEYORS,

13, 14 V. c. 40—1850.

Duty of, in matters of damage caused by animals trespassing s. 6.

ROAD SURVEYOR,

- May swear witnesses in such matters, s. 7.
 To impound horses, cattle, &c., straying on public roads; subsequent proceedings, s. 9.
 Duty of, at sale of impounded cattle, &c., s. 10.
 To act as inspectors of fences, and to take oath where no others appointed, ss. 16, 17.
 Duty of, with respect to *découvverts*, s. 18.
 Penalty on, for neglect of duty under this Act, s. 19.
 Duty of, with respect to visiting and repairing fences and ditches, ss. 21, 22.
 To determine by whom bridges to be kept in repair, s. 23.
 Duty of, as to new fences, s. 24.
 To determine in matters of *travaux mitoyens*, s. 25.
 Duty of, with respect to watercourses, &c., ss. 26, 42.
 To cause weeds, &c., to be destroyed on highways, and when; penalty, s. 45.
 To cause dead animals to be buried when owners cannot be found, s. 48.
And see Agriculture—Inspector—Municipal Corporations.—Overseer—Roads.

ROADS,

The acts 36 G. 3, c. 9, and 39 G. 3, c. 5—and the ordinance 2 V. (3) c. 7—are repealed by 18 V. c. 100—except as to *Quebec and Montreal—in which they appear to be nearly if not wholly superseded by the acts incorporating those cities, at any rate they have become purely local.*

4 V. c. 8—1841—391.

Temiscouata, portage road, Ordinance for making and maintaining.

13, 14 V. c. 41—1850.

Road acts though expired, to be deemed in force so far as necessary to enable any party to maintain an action for labor performed under them, whether in his own rights or as assignee.

18 V. c. 100—1855.

Municipal and road act not to apply to, under control of Board of Works or incorporated companies, s. 3.

May be acquired by any municipality, s. 15, par. 6.

County councils may levy tolls on, within the county, s. 19, par. 4.

Local councils how may open, repair, cleanse or stop up any road, &c., and take land for the same within the municipality, s. 23. *But see* 19, 20 V. c. 101, s. 11, par. 3.

Inspectors and Overseers of, how appointed, s. 32.

Classification of, and provisions concerning; used for ten years prescribed, ss. 40, 41.

Winter roads, provisions concerning, s. 44.

How and by whom to be made and maintained in the absence of any by-law or *procès-verbal*, s. 45.

Existing *procès-verbaux* and by-laws concerning, continued until repealed, s. 46.

Provisions concerning new *procès-verbaux*, s. 47.

ROADS,

- What may be ordered by such *procès-verbaux*, s. 48.
- Procès-verbaux* of, how revised, homologated and where deposited, s. 49.
- Money for making, how may be raised by municipal councils, ss. 50, 51.
- Lands taken for, how compensated, s. 52.
- Powers and duties of road officers, ss. 53 to 55.
- Obstruction of, and encroachments on, how and by whom removed, s. 56.
- Works on, how apportioned, &c., ss. 57 to 63.
- Works when in more than one county, s. 64. *But see* 19, 20 V. c. 101, s. 23. *And see* Municipal Corporations, and the different road officers by name.

ROADS, BRIDGES, &c., GENERAL INCORPORATION OF JOINT STOCK COMPANIES, FOR MAKING.

12 V. c. 56—1849.

- Companies may be formed under this Act by any number of persons not less than five, for the construction of roads, bridges, piers, wharves and slides, s. 1.
- Notice to be given of formation of company, *ib.*
- Provisions as to old front roads and by-roads; majority of persons liable to contribute for same, may file opposition within certain delay; proceedings thereon; municipal council to decide; may alter direction of road, *ib.*
- If no opposition filed, company may proceed; where roads or other works are proposed to be made over or through private property; owners may oppose; municipal councils to decide; work not to be performed if forbidden by council, *ib.*
- Company not to interfere with private or Crown property without consent of owners or crown except as provided by this Act, *ib.*
- Grade of roads, *ib.*
- Bridges and slides over navigable rivers to be first approved by Governor in council and subject to conditions imposed, *ib.*
- Company not to interfere with privilege of individuals or other companies without express consent in writing, *ib.*
- As to chartered companies; private property and crown property, *ib.*
- As to construction of slides on private property; roads through cities or incorporated towns or villages; by-laws to be passed, *ib.*
- Bridges between *termini* of road to be deemed part of road unless specially excepted, *ib.*
- Company to make and keep in repair fences and ditches; *ib.*
- What extent of land may be taken by any company, s. 2.
- One company may construct road, as well as wharf, pier or bridge, *ib.*
- Company, how to be formed; to be a corporation, s. 3.
- Their corporate powers and name, *ib.*
- Company may explore and take lands, &c., s. 4.
- Directors, appointment and election of; *quorums*, powers, &c., s. 5.

ROADS, BRIDGES, &c.,

Company, how may borrow money or create new stock, s. 6. *And see* 16 V. c. 213, s. 1.

Amount and transfer of shares, s. 7.

Calls, how made and sued for; what sufficient to allege and prove in such action, s. 8.

Company may sell shares instead of suing, s. 9.

All persons and bodies whatsoever may sell land to company; indemnified by this Act, s. 10.

Annual rent may be agreed upon instead of fixed sum; purchase money, how secured; deed to be registered, s. 11.

As to land held *par indivis*, s. 12.

Company may agree with owners, &c., respecting compensation to be paid; mode of proceeding in case of disagreement, s. 13.

On payment, tender or deposit of compensation, company may take possession, s. 14.

How to act in case of resistance being offered, *ib.*

May obtain possession in certain cases before compensation fixed, *ib.*

Provision with respect to mortgages, &c., mode of clearing the same, s. 15.

Where Indian lands taken, compensation to be made in same manner, s. 16.

Indian arbitrator to be named by chief officer of Indian department and amount awarded paid to him for use of Tribe, *ib.*

Directors may elect president and appoint officers; security, s. 17.

President and directors to fix tolls, &c.; tolls not to be taken until work be completed except on roads, s. 18.

By-laws fixing or altering rate of tolls, &c., must be confirmed by governor in council, s. 19.

Rates of tolls on roads limited; persons may compound with company, s. 20.

Directors to make annual report to municipality; and to keep regular books of account, s. 21.

Municipality to have power of inspection, *ib.*

Road, works, &c., vested in company and successors, s. 22.

Toll-gates, erection of, and collection of tolls; no toll to be exacted for merely crossing road, s. 23.

Road or work to be completed within a certain time, on pain of forfeiture, s. 24.

Persons injuring or destroying any road, work or property of company how punished, s. 25.

Divers kinds of injuries and offences enumerated, *ib.*

Justice how may convict and commit offenders, *ib.*

Fines and forfeitures may be levied by distress; if goods insufficient, offender may be committed for one month, s. 26.

Evading tolls, penalty for, ss. 27, 28.

Municipalities may take stock in any company under this Act, and how, s. 29.

Municipalities may make loans to companies, s. 30.

Religious corporations may also take stock and make loans, s. 31.

ROADS, BRIDGES, &c.,

After 21 years, Crown may purchase the rights of any company; value of stock to be ascertained by arbitration if not settled by agreement, s. 32.

Stockholders and officers to be competent witnesses in any action by or against company, s. 33.

Limitation of actions, s. 34.

Exemption from toll in favor of persons going to a funeral or church, s. 35.

As to tolls on roads intersected by roads made under this Act, s. 36.

Roads, bridges, &c., to be kept in good repair, s. 37.

Company how may be indicted for not keeping same in repair, *ib.*

If repairs not made within time fixed by conviction, company to become dissolved, and roads, &c., to vest in Crown, *ib.*

Legislature may add to or alter this act for the purpose of protecting the public, &c., s. 38.

Schedule—Form of declaration of formation of company.

13, 14 V. c. 14—1850.

Act to extend the Acts for the formation of companies for constructing roads and other works to companies formed for the purpose of acquiring public works of like nature.

Act 12 V. c. 56 extended to companies formed for purchasing public works under the 12 V. c. 5, s. 1. *See Public Works.*

Such companies not to be liable to certain provisions of the said Act, *ib.*

Proviso: certain sections of the above cited act to apply, *ib.*

Maximum tolls to be taken by such companies, s. 2.

Proviso, as to exemption from tolls, *ib.*

Persons residing within a certain distance may commute for tolls, s. 3.

Order in council for transferring any public work, may extend to certain matters, s. 4.

Certain powers to be reserved, s. 5.

Security to be given, *ib.*

Work to be kept in complete repair, *ib.*

ROBBERY,

4, 5 V. c. 25—1841.

Of the person, with stabbing, cutting or wounding, felony, death, s. 6.

Other robbery, attended with violence, felony, s. 7.

Stealing from the person, how punishable, s. 9.

Assault with intent to rob, felony, s. 10.

13, 14 V. c. 17—1850.

Of the mail, how punishable, s. 16.

ROCHE, J. K.,

For the relief of, 16 V. c. 73.

ROMAN CATHOLIC ARCHBISHOP AND BISHOPS IN EACH
DIOCESE IN LOWER CANADA,

Incorporated, 12 V. c. 136.

ROMAN CATHOLIC INSTITUTE OF ST. ROCHS, QUEBEC,

Incorporated, 16 V. c. 265.

Charter amended, 18 V. c. 243.

ROMAN CATHOLIC ORPHAN ASYLUM, MONTREAL,

See Ladies of the, &c.

ROY, J.,

Bridge over river Jésus, 57 G. 3; c. 38.

ROYAL INSTITUTION,

41 G. 3, c. 17—1801—516.

Governor empowered to appoint trustees of the schools of royal foundation, s. 1.

Such trustees to be a body corporate by the name of *The Royal Institution; for the advancement of learning*; their powers; may acquire and hold property without letters of mortmain, s. 2.

Property to be vested in trustees, who may lease the same for any term not exceeding 21 years, s. 3.

Rents to be accounted to receiver general and by him to the crown, *ib.* But see below 8 V. c. 78—16 V. c. 58, ss. 7, 8.

Governor to appoint president and other officers and fix time for holding meetings, &c., s. 4. But see below 16 V. c. 58, s. 2.

President and members of corporation to make by-laws and regulations for schools, &c., *ib.*

Such rules not to take effect until sanctioned by governor; nor to affect any religious community or school now existing, &c., *ib.* But see below 16 V. c. 58, ss. 1, 4.

Governor may erect free schools in any parish or township and appoint commissioners, s. 5. But see below 9 V. c. 27, s. 21, par. 1.

Commissioners to fix on lots of ground whereon to erect schools; to be approved by Governor, s. 6.

Commissioners may contract for purchase of such lots to be conveyed to royal institution, s. 7.

School houses to be provided by inhabitants of parish, &c.; estimates and acts of repartition how and by whom to be made; penalty on defaulters, how enforced; proviso as to when such school-house may be erected, s. 8.

Commissioners to superintend the building and to inform Governor of their completion, s. 9.

Governor to appoint school-masters and fix salary, s. 10.

Inhabitants to repair school-houses, s. 11.

Schools may be used for court houses and elections, s. 12.

But see below 9 V. c. 27, s. 21, par. 1.

8 V. c. 78—1845.

Royal Institution authorized to lease their property in perpetuity or otherwise dispose thereof.

Proviso as to increase of rents. But see below 16 V. c. 58, s. 5, repealing this proviso.

9 V. c. 27—1846.

Common school commissioners to take possession of all schools erected by, s. 21, par. 1.

ROYAL INSTITUTION,

16 V. c. 58—1852.

- 41 G. 3, c. 17, and 8 V. c. 78; amended, s. 1.
 Who to preside in absence of president, *ib.*
 Royal institution may appoint and remove its own officers,
 s. 2.
 Royal institution may fix the time for meeting; s. 3.
 Royal institution, by-laws of, not to require sanction of
 Governor, but may be set aside by him within sixty days,
 s. 4.
 May lease in perpetuity without rent being subject to
 augmentation, s. 5.
 May cancel all deeds with consent of parties, s. 6.
 May raise loans not exceeding £3,000 cy., *ib.*
 Moneys not to be accounted for to Receiver-General, but
 annual statement to be furnished to Governor, s. 7.
 Inconsistent provisions of above Acts repealed; acquired
 rights reserved, s. 8.
 Public Act, s. 9.

RULES OF PRACTICE,

12 V. c. 37—1849.

- Court of Queen's bench, Appeal side, empowered to make
 and amend, s. 17.
 Old rules to be in force until amended, *ib.*

12 V. c. 38—1849.

- Of superior and circuit courts, how made, authenticated and
 amended; old rules to be in force until new are so made,
 s. 100.

- Provision for defects in Act, how may be made by, s. 113.

13, 14 V. c. 35—1850.

- May be made by courts of quarter sessions, s. 6.

16 V. c. 194—1853.

- How may be made with respect to *enquêtes*, s. 5.
 May be made, as to judgments in vacation, in districts other
 than Quebec and Montreal, and proceedings thereon, s. 15.
 Also with respect to proceedings in causes from S. C., Gaspé,
 to be heard at Quebec, s. 16.

18 V. c. 106—1855.

- Superior court to make, with respect to hypothecary actions
 where proprietor of land is unknown, s. 14.

S A B

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SACRAMENT,

13, 14 V. c. 18—1850.

- Not required to be taken as a qualification for office.

SACRILEGE,

4, 5 V. c. 25—1841.

- Breaking and entering any church or chapel and stealing
 therein, or having stolen therein, breaking out, how pu-
 nishable, s. 13.

SACRÉ CŒUR, *See Dames Religieuses du, &c.*

SAGUENAY,

County divided into 2 Registration Districts, 12 V. c. 131.

SAGUENAY AND GASPE,

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SAGUENAY, SECOND MUNICIPALITY ESTABLISHED IN,

13, 14 V. c. 107.

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ST. ALPHONSE DE LIGUORI—ST. ANICET,

18 V. c. 100—1855.

Parishes of, each to form separate municipality, s. 33, par. 11.

ST. ANDREW'S CHURCH, MONTREAL,

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ST. ANDREW'S CHURCH, QUEBEC,

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ST. ANNE'S COLLEGE,

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ST. ANNE DE LA PERADE, Common of,

To regulate, 1 W. 4, c. 31.

STE. ANNE DES MONTS AND CAP CHAT,

12 V. c. 126—1849.

Settlements of, detached from municipality of Gaspé and erected into a separate municipality.

16 V. c. 30—1852.

Settlement of, annexed to district of Kamouraska for judicial purposes, s. 1.

18 V. c. 99—1855.

To be an electoral county for the purposes of registration only, s. 13.

18 V. c. 100—1855.

Act 12 V. c. 126, detaching settlements of, from municipality of Gaspé, and erecting them into separate municipalities to remain in force; but they shall have all powers conferred by this act, s. 4, par. 6.

Act 10, 11 V. c. 7, repealed as to, and municipality of Ste. Anne des Monts, to form no part of county of Gaspé, *ib.*

ST. ANSELME BRIDGE COMPANY,

Incorporated, 12 V. c. 189.

ST. ANTOINE DE LA BAIE DU FEBVRE, Common of,

To regulate, 16 V. c. 61—16 V. c. 150.

ST. ANTOINE DE L'ISLE AUX GRUES,

Made a separate Municipality, 12 V. c. 125.

ST. AUGUSTIN—FIEF,

18 V. c. 3—1854.

Not affected by provisions of Seigniorial Tenures Abolition acts, s. 35.

ST. CHRISTOPHE D'ARTHABASKA,

School Assessment confirmed in, 19, 20 V. c. 72.

ST. DAVID OF YAMASKA,

School Municipality, 18 V. c. 169.

ST. EPHREM D'UPTON,

18 V. c. 100—1855.

Parish of, to be a separate municipality, s. 33. par. 11.

ST. FRANCIS,

3 G. 4, c. 17—1823—130.

Inferior district of, established, s. 1.

Sessions of the peace, when and where held and by whom, s. 13. *But see below* 16 V. c. 201.

3 W. 4; c. 18—1823—134.

Inferior district of, to be called the district of St. Francis, s. 2.

14. 15 V. c. 90—1851.

Judgments of late provincial court for district of, how rendered executory, *ib.*

16 V. c. 201—1853.

Section 3 of 13, 14 V. c. 35, repealed—Terms of quarter sessions in St. Francis, to commence on the eighth day of January, April, July and October: Proviso, as to Sundays or holidays, s. 2.

18 V. c. 166—1855.

Number of sittings of Queen's Bench and superior and circuit courts in district of, increased, ss. 1, 2, 3, 4.

Eastern circuit constituted, s. 5.

Wolfe circuit constituted, s. 6.

Circuit court for Richmond circuit, when and where to be held, s. 7.

Inconsistent provisions of 12 V. c. 37 and 38, and 16 V. c. 201, repealed, s. 8.

Provisions of judicature acts and rules of practice to apply to new terms and circuits, s. 9.

Pending suits not affected, s. 10.

Section 11 is repealed by 19, 20 V. c. 55, s. 11.Act to commence on 1st August, 1855, *ib.*

19, 20 V. c. 55—1856.

Sect. 11 of 18 V. c. 166, repealed, s. 11.

ST. FRANCIS,

Gaol at Sherbrooke, 5 G. 4, c. 26—1 W. 4, c. 14.

ST. FRANCIS, NOTARIAL PROFESSION IN,

18 V. c. 165—1855.

Certain parts of 10, 11 V. c. 21 and 13, 14 V. c. 39, respecting minutes, &c., of notaries within limits of district of, suspended, s. 1.

Board of Notaries for district of Three Rivers to deliver to prothonotary in district of Saint Francis the minutes, &c.

ST. FRANCIS, NOTARIAL PROFESSION IN,

of notaries ceasing to practise in said district; the said prothonotary to keep the same and grant certified copies thereof when required, ss. 2, 3.

ST. FRANCIS, IRREGULARITIES IN LISTS OF JURORS,

16 V. c. 122—1853.

Sheriff to complete lists of jurors before 10th July, 1853, and how, s. 1.

Said lists to have same force as though completed in July, 1849, s. 2.

Lists to be revised every second year, s. 3.

Past judgments, verdicts, &c. rendered by any jury in district of, confirmed, s. 4.

Doubts as to competency of Sheriff to summon jurors to try certain persons, removed, s. 5.

ST. FRANCIS BANK,

Incorporated, 18 V. c. 201.

ST. FRANCIS COLLEGE,

Incorporated, 18 V. c. 55.

ST. FRANCOIS DU LAC,

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ST. GEORGE'S SOCIETY OF QUEBEC,

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ST. LAWRENCE AND CHAMPLAIN CANAL COMPANY,
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ST. LAWRENCE AND INDUSTRY VILLAGE RAILROAD COMPANY,
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ST. LAWRENCE AND OTTAWA GRAND JUNCTION RAILROAD COMPANY,
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ST. LAWRENCE SCHOOL OF MEDICINE AT MONTREAL,
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ST. MONIQUE BRIDGE COMPANY,

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ST. PATRICK'S SOCIETY OF QUEBEC,

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9 G. 4, c. 27—1829—138.

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9 G. 4, c. 28—1829—136.

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4 W. 4, c. 4—1834—141.

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18 V. c. 107—1855.

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7 V. c. 19—1843.

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SAISIE GAGERIE,

7 G. 4, c. 8—1827—136.

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7 V. c. 19—1843.

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12 V. c. 38—1849.

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7 G. 4, c. 8—1827—136.

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7 V. c. 19—1843.

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- Detailed accounts to be laid before parliament every session, s. 13.
- Act to remain in force ten years, s. 14.
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18 V. c. 96—1855.

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4, 5 V. c. 18—1841.

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4. To return certificate after copy entered, if examination satisfactory, *ib.*

5. To give diplomas to candidates found qualified; what to specify; Fees, *ib.*

6. To keep lists of admitted candidates, *ib.*

7. To notify superintendent of admissions, *ib.*

8. To divide teachers into classes, *ib.*

9. To enter names of such teachers, *ib.*

10. To require certain qualifications of teachers: Proviso, as to examination, *ib.* *But see 12 below V. c. 50, s. 29.*

Priests, &c., and females exempted from examination, *ib.*

But see below 19, 20 V. c. 14, s. 6.

School commissioners, &c., need not accept teacher though certified or exempt, *ib.*

11. To keep registers of proceedings—duty of secretary, *ib.*

12. To use seal and forms furnished by superintendent; school visitors may be present at examination, *ib.* *And*

see as to powers and duties of Council of Public Instruction, 19, 20 V. c. 14, ss. 18, 19.

Sect. 51 repealed by 12 V. c. 50, s. 28.

Penalty on persons refusing to accept office, &c., how enforced and applied; who may prosecute, s. 52.

Quorum, majority to be; powers thereof, s. 53.

Rights of Crown and third parties saved, s. 54.

Interpretation clause, s. 55.

Present commissioners and others to remain in office until replaced, s. 56.

4, 5 V. c. 18, except ss. 1, 2, 3, and part of 21, repealed as to L. C.; 8 V. c. 41 repealed, s. 57.

Copies of Act to be distributed forthwith, s. 58.

9 V. c. 59—1846.

Revenues of Jesuits' estates to be appropriated to educational purposes in Lower Canada, s. 1. *But see below 19, 20 V. c. 54, s. 1.*

SCHOOLS, COMMON,

Application of moneys to be accounted for to Her Majesty,
s. 2.

12 V. c. 50—1849.

9 V. c. 29 cited and amended, s. 1.

Governor in council may alter school municipalities and make new ones, *ib.* And see 18 V. c. 100, s. 5.

Superintendent to give notice thereof, *ib.*

Monthly school fees, when demandable: proviso, s. 2. And see below 19, 20 V. c. 14, s. 3.

Par. 13 of s. 21 of 9 V. c. 29, repealed, s. 3.

School fees, what persons exempt from, *ib.*

Assessments, how, when and by whom may be paid voluntarily; such payment to be sworn to: proviso as to manner of payment, s. 4.

If not paid voluntarily, to be levied by municipality, *ib.*

Superintendent, when may exempt indigent municipalities; proviso, s. 5. And see below 19, 20 V. c. 14, s. 7.

Commissioners—Clergymen eligible without property qualification, s. 6.

Secretary-treasurer—Security, how and what to be given by; proviso, when by *acte sous seing privé*, s. 7.

School commissioners may remove and appoint new one, *ib.*

No school master or justice of the peace to be, *ib.*

Commissioners, &c., replaced by governor to cease to have power to act, s. 8.

Governor may remove those appointed by him, *ib.*

Election of commissioners—No person to vote at, unless all school contributions paid, s. 9.

Penalty for contravention, *ib.*

Vacancies—Governor when may fill; proviso as to vacancy from sickness, date of such vacancy, s. 10.

Appeal as to site of school house or limits of district, how and when to lie to superintendent, s. 11.

Accounts, difficulties as to, in any municipality, how and when to be settled by superintendent; judgment how entered and effect thereof, s. 12.

Certificate of superintendent to be *prima facie* evidence, s. 13.

Paragraph 11, of section 21, of said act in part repealed, s. 14.

School moneys, how to be divided, *ib.*

District rate, when may be imposed by commissioners; appeal to lie to superintendent, s. 15.

Suits and prosecutions by commissioners to be instituted before two justices or circuit court; costs may be awarded; but no appeal or *certiorari* allowed, s. 16.

Provisions where assessments annulled, s. 17.

Dissentient schools,—trustees of, how may acquire the right of receiving assessments and fees, &c., s. 18. But see below 19, 20 V. c. 14, s. 5.

To be in such case a corporation; their powers, *ib.*

School allowance, when may be granted, *non obst.* 9 V. c. 27, s. 27—s. 19.

School allowance,—superintendent may refuse in certain cases, s. 20. But see below 19, 20 V. c. 14, s. 12.

SCHOOLS, COMMON,

- School fund,—certain fees not to form part of, but to be payable to teacher, s. 21.
- Secretary-treasurer, allowance to, may be increased to 4 per cent. s. 22. *But see below* 19, 20 V. c. 14, s. 8.
- Deputy superintendent, Governor may appoint, in certain cases—his powers, s. 23.
- Provisions in case there is no valuation of property or such valuation cannot be obtained after notice,—penalties,—fees, s. 24.
- Assessors to have power to enter upon property, s. 25.
- Penalty for obstructing or refusing information, *ib.*
- Valuation to be amended only by those who ordered it; assessment may be amended by school commissioners, s. 26.
- School fund in Lower Canada, balance of, how to be appropriated, s. 27. *And see* 19, 20 V. c. 54.
- Sect. 51 of 9 V. c. 27, repealed, s. 28.
- Assessor how qualified,—penalty, *ib.*
- Teachers referred to in par. 10 of section 50 of 9 V. c. 27, to be examined in July, 1852, s. 29.
- Superintendent,—allowance to, for secretary and clerk, s. 30.
- Fines and penalties how recovered, s. 31.
- Act to apply to Lower Canada only, s. 32.

12 V. c. 200—1849.

- Moneys arising from sale of public lands to be set apart for school purposes until they produce an income of £100,000 a year, s. 1.
- How such moneys shall be invested, s. 2.
- One million of acres of public lands set apart to form a fund for common schools in this province, s. 3.
- Present annual grant to cease when the said fund amounts to £50,000 a year, s. 4.
- But if the said fund falls short of £50,000 in any year, deficiency to be made up, *ib.*

14, 15 V. c. 97—1851.

- Act 12 V. c. 50 cited.
- Sects. 1 and 2 are repealed by* 19, 20 V. c. 54, s. 17.
- Inspectors of common schools to be appointed by Governor: to visit schools; inspect accounts; to have powers of superintendent of common schools with reference to his duties, unless restricted, s. 3.
- To make quarterly reports; reports, what to contain, s. 4.
- Secretary-treasurer—penalty on, for refusing information to inspectors; how recovered, s. 5.
- Inspector to be *ex officio* justice of the peace, and 6 V. c. 3 not to apply, s. 6.
- How and from what fund to be remunerated, s. 7. *And see* 19, 20 V. c. 54, s. 17.
- Act 12 V. c. 113 repealed: proviso, s. 43 of 9 V. c. 27 to remain repealed, s. 8.
- Quebec and Montreal—no rate to be imposed in cities of, s. 9.

SCHOOLS, COMMON,

City-treasurers to pay boards of school commissioners a sum equal to that received by them from common school fund, *ib.* *But see below* 19, 20 V. c. 14, s. 1.

Treasurer, on refusal, may be sued in S. C., and liable to *contrainte par corps*, *ib.*

Annual statements to be rendered by secretary-treasurer to commissioners, s. 10.

How and when to be published by latter, *ib.*

Copy of statement to be furnished to any rate-payer by secretary-treasurer on payment of 5s. *ib.*

Copies of Act to be immediately distributed, s. 11.

16 V. c. 74—1853.

Certain appropriations for schools, for 1851—1852—1853, ss. 1, 2, 3, 4.

£5,000 to be paid out of Jesuits' Estates Fund as an investment bearing interest at 5 per cent for normal school house, at Montreal, s. 5.

Application of moneys to be accounted for to Her Majesty, s. 6. *But see* 19, 20 V. c. 54.

16 V. c. 208—1853.

Person illegally holding office of school commissioner, how may be proceeded against, s. 1.

Proceedings to be regulated by 12 V. c. 41, s. 2. (*See Prerogative Writs*)—*and see below* 19, 20 V. c. 14, s. 15.

Vacancy, if declared, how filled up, s. 3.

16 V. c. 209—1853.

Boards of examiners established in districts of Kamouraska, Gaspé, St. Francis, Three Rivers and Ottawa, s. 1. *And see below* 19, 20 V. c. 14, s. 9.

How such boards shall be composed, s. 2.

Where to hold their meetings: proviso,—two boards in district of St. Francis; to be governed by 9 V. c. 27, s. 3.

May grant or refuse diplomas, s. 4.

19, 20 V. c. 14—1856.

School commissioners and trustees of dissentient schools may levy additional sums, and to what extent, s. 1.

Corporations of Quebec and Montreal may also pay additional sums for school purposes, *ib.*

School commissioners and trustees to make annual census of children, and how, s. 2.

School commissioners and trustees to state, in semi-annual reports, amount of monthly fees fixed for each child and amount collected, s. 3.

Allowance may be refused in case such fees are not fixed or collected, *ib.*

Superintendent, how and when may retain certain sum for Model School, s. 4.

After 1st July, 1856, trustees of dissentient schools to have alone right to fix and collect their assessments, s. 5.

To be exempt from attestation required by s. 18 of 12 V. c. 50.

Female teachers not belonging to any religious community, how and when to be examined, s. 6.

SCHOOLS, COMMON,

Certain sums appropriated yearly for:—Poor School Municipalities; Journal of Instruction; and Superannuated Teachers' Fund: proviso as to latter, s. 7.

Allowance to secretary-treasurer may be increased to 7 per cent., but not to exceed £30 in any one year, s. 8.

Boards of examiners—additional, how and where may be established by superintendent, s. 9.

How composed and by what rules governed, *ib.*

Superintendent may levy special assessment for payment of debts of municipality in certain cases, s. 10.

Common school fund, how may be paid to superintendent, s. 11.

Superintendent, with approval of governor may refuse to pay share of school fund to school municipality in certain cases, s. 12.

Superintendent, how may order share of fund to be applied by municipality in certain cases, s. 13.

School municipalities formed since the taking of last census how allowed share of grant, s. 14.

Penalty on commissioners, trustees or secretary-treasurer for detaining books, &c., after ceasing to hold office, s. 15.

How recovered and applied, *ib.*

Council of public instruction for Lower Canada, how may be established, s. 16.

Superintendent to call first meeting of such council; to defray and account for expenses of such meetings, s. 17.

Recording clerk how appointed; his duties, *ib.*

Council—Five members to be a *quorum*; duties, s. 18.

1. To appoint chairman; fix time for meetings, &c.

2. To make certain rules and regulations for Normal Schools.

3. To make rules and regulations for common schools and classification of schools and teachers.

4. To select books, &c., for schools.

5. To regulate boards of examiners.

6. To keep list of all teachers who have received diplomas or gone through course at normal school.

Duty of superintendent with respect to aiding council in making such lists.

Council may revoke any diploma, &c., in certain cases, s. 19.

Proceedings before—in case of charge against any teacher, *ib.*

Title of act, s. 20.

Interpretation clause, s. 21.

Inconsistent enactments of acts of 1846, 1849 and 1853, repealed, s. 22.

See also *Fabrique* and Normal Schools—Royal Institution.

SCHOOL COMMISSIONERS,

See Schools, Common,—*more especially*, Act 9 V. c. 27, ss. 4 to 24, 25, 30, 38, 42, 45, 46, 56—Act 12 V. c. 50, ss. 6 to 11.

SCHOOL DISTRICTS,

9 V. c. 27—1846.

How to be formed; what number of children and schools in each, ss. 18, 20.

SCHOOL FUNDS,

See Schools, Common—*more especially* Act 4, 5 V. c. 18—Act 9 V. c. 27, ss. 26, 27, and 46 to 49—Act 12 V. c. 50, ss. 19, 20, 21, 27—Act 12 V. c. 200—Act 16 V. c. 74—Act 19, 20 V. c. 14, ss. 11, 12, 13. *And also* Normal Schools—19, 20 V. c. 54, ss. 1 to 13.

SCHOOL INSPECTORS,

See Schools, Common—14, 15 V. c. 97, ss. 3 to 7.

SCHOOL LANDS,

12 V. c. 200—1849.

One million of acres set apart for support of common schools.

SCHOOL MANAGERS,

9 V. c. 27—1846.

May be associated with commissioners to administer school property, s. 21, par. 15.

SCHOOL MASTERS, See Teachers.**SCHOOL MUNICIPALITIES,**

See Schools, Common—*more especially*, Act 9 V. c. 27, ss. 2, 3, 18, 38, 41, and Act 12 V. c. 50, ss. 1 and 5.

18 V. c. 100—1855.

Constituted for the purposes of School Acts to continue for such purposes, *non obst.* Municipal and Road Act, s. 5.

19, 20 V. c. 14—1856.

Certain sums appropriated yearly for indigent, s. 7.

Superintendent may levy special assessment for payment of debts of, in certain cases, s. 10.

Superintendent when may refuse to pay share of school fund, s. 12.

Superintendent how may order such share to be applied by, in certain cases, s. 13.

Formed since last census how allowed share of grant, s. 14.

SCHOOL VISITORS,

See Schools, Common, Act 9 V. c. 27, ss. 33, 50, &c.

SCIRE FACIAS,

12 V. c. 41—1849.

Writ of, for annulling letters patent, when and how may issue, and how proceeded with, s. 19.

And see Prerogative Writs.

SCRIP, See Public Lands.**SCOTLAND, CHURCH OF,**

See Marriages—Presbyterians—Secession Church of.

SEA BANKS,

4, 5 V. c. 26—1841.

Maliciously breaking down, to be felony, s. 12.

SEAL,

12 V. c. 37—1849.

Writs in appeal not to be void for wrong seal or none, s. 14.

12 V. c. 38—1849.

Same provision with respect to writs in superior court, s. 19.

Also in circuit court, s. 51.

19, 20 V. c. 101—1856.

Every municipal council to have common, s. 3.

And see Scellé.

SEAMEN, DESERTION OF,

47 G. 3. c. 9—1807—56.

30 G. 3, c. 6, and 40 G. 3, c. 8, repealed, s. 1.

Persons harbouring deserters from King's or Merchants' service, how punished, s. 2.

What to be held harbouring, *ib.*

Every master or owner concealing or persuading any seamen to desert, subject to penalty of from £20 to £50, cy. s. 3.

How and for what offences seamen may be proceeded against; how punished on conviction, s. 4.

Master may procure his discharge from gaol at any time, *ib.*Master to apply for seaman in gaol before sailing; how to be taken on board—master to pay expenses, *ib.*Master to pay in advance 1s. 6d. *per diem* during detention of seaman, s. 5. *But see* 6 V. c. 4, *reducing it to 7½d.*In default of payment, seamen to be discharged, *ib.*

Justices empowered to grant search-warrant, s. 6.

And to commit seamen brought before them on such warrant, not giving satisfactory account of themselves, *ib.*

Justices may order tavern-keepers, &c., to make a return of all persons in their houses, s. 7.

Penalty, £10 for refusal or neglect; proviso, *ib.*

Tavern-keepers receiving reward from master for procuring seamen, how punished, s. 8.

Manner of distinguishing between seamen who are or are not discharged, s. 9.

Duty of harbour master, *ib.*Penalty on master refusing to give a discharge, *ib.*Form of discharge, *ib.*

Constables employed, how to be recompensed, s. 10.

Warrant within jurisdiction of Vice-Admiralty to be authorized by judge, s. 11.

Fines how recovered and applied, ss. 12, 13.

Act to be publicly read once every year at quarter sessions in Quebec, Montreal and Three Rivers, s. 14.

6 V. c. 4—1842.

Sect. 5 of above Act amended—allowance to seamen reduced to 7½d.

13, 14 V. c. 25—1850.

Above Act as amended extended to foreign vessels, s. 1.

Engagement of seamen how to be proved, *ib.*In what cases justices cannot act—exception, *ib.*

This Act and 6 V. c. 4, also to be read at quarter sessions as above, s. 2.

SEAMEN, DESERTION OF,

16 V. c. 165—1853.

Penalty for enticing seamen or apprentices to desert their ship, not more than £10 nor less than £5, s. 1.

Penalty for harbouring deserters, not exceeding £10 nor less than £5, s. 2.

Penalty for loitering near any vessel, or receiving articles of clothing, &c., not more than £5 nor less than £2, s. 3.

Boats, &c., found so loitering may be detained until penalty paid, s. 4.

Penalty for going on board any vessel arriving at Quebec without lawful authority, &c., s. 5.

Payments in advance to seamen must be in money, and such advances limited, s. 6.

Penalties for contravention, *ib.*

Debts recoverable from seamen by lodging house-keepers, &c., limited to 5s., s. 7.

Wearing apparel, &c., of seamen not liable for lodging, &c., beyond 5s., s. 8.

Recovery and application of penalties, s. 9.

SEAMEN, SHIPPING OF, REGULATED,

10, 11 V. c. 25—1847.

Shipping master to be appointed for port of Quebec, s. 1.

What security to be given; bonds to enure to benefit of persons damnified by malfeasance of shipping master, *ib.*

Oath of office, before whom to be taken and where filed, *ib.*

Shipping master may appoint deputies, s. 2.

Their number to be fixed by board of trade, *ib.*

Their powers; oath of office before whom to be taken and where filed, *ib.*

What security to be given; parties damnified may sue on bonds, *ib.*

Grocers, tavern-keepers, boarding house keepers and bailiffs ineligible to be shipping master or deputies, s. 3.

Fees for shipping seamen and for certificate thereof, s. 4.

But see below 11 V. c. 5.

Registry of all seamen shipped to be kept, and to be open to public inspection, s. 5.

Seamen to exhibit their registry tickets before being shipped, s. 6. *But see Imp. act, 17, 18 V. c. 104.*

None but certain persons authorized to hire seamen for merchant ships, or to demand their registry tickets, s. 7.

No shipowner to receive seamen hired contrary to this act, s. 8.

Penalty for contravening foregoing sections, s. 9.

No person but shipping master or his deputies to be employed in procuring seamen, s. 10.

Penalty on said parties employing any one else for such purpose, *ib.*

Shipowner, &c., not to pay wages in advance, or give advance note to seamen, until six hours after signing articles; but payment in money may be made at any time after signing, s. 11.

Wages to be paid to seaman himself, *ib.*

SEAMEN, SHIPPING OF, REGULATED,

Payments made contrary to this Act to be void, *ib.* *But see, as to this section, above 16 V. c. 165, s. 6.*

Penalty for demanding from seaman, or any one but ship-owner, &c., remuneration for hiring or providing seamen, s. 12.

No person (except those herein mentioned) to go on board merchant vessels before their arrival in dock without permission of master; penalty; master may arrest all such persons, s. 13. *But see above 16 V. c. 165, s. 5.*

Penalty on persons soliciting seamen to become lodgers, or taking their chests, &c., within 24 hours after arrival of vessel in port, s. 14. *But see above 16 V. c. 165, s. 3.*

Penalty on persons overcharging seamen for their board, or detaining their effects for more board than is due, s. 15. *But see above 16 V. c. 165, ss. 7, 8.*

Penalties, how recovered, s. 16.

In default of payment, offenders may be committed, *ib.*

Application of penalties, *ib.*

Seamen to be competent witnesses on their own behalf; but shall not receive part of penalty in such case, but only moneys or effects by them deposited, *ib.*

Form of conviction, s. 17.

Conviction not to be quashed for want of form, or removed by *certiorari*, s. 18.

Warrant of commitment not to be void for any defect therein, provided it be alleged that party was convicted and there be a good conviction to sustain the same, *ib.*

"Merchant ships," interpretation of the expression, s. 19.

Acts interfering with this Act, repealed, s. 20.

Commencement of Act, 1st January, 1848, s. 21.

11 V. c. 5—1848.

Fees collected by shipping master under foregoing Act to be funded and accounted for by him, s. 1.

He may retain £250 as a salary in lieu of fees, *ib.*

Balance to be paid to receiver general, *ib.*

And see above, 13, 14 V. c. 25, extending these two acts to Foreign Vessels.

SEAMEN, SUPPORT OF SICK AND DESTITUTE,

6 W. 4, c. 35—1836—258.

Duty of 1d. per ton to be levied on all vessels arriving at ports of Quebec or Montreal from without the limits of province, s. 4. *But see below 16 V. c. 166.*

How and when to be paid, *ib.*

Entry to have no legal effect until duty paid, *ib.*

Governor may pay to Marine Hospital at Quebec, and to Montreal General Hospital, sums equal to the amounts collected at Quebec and Montreal respectively, s. 2.

Said hospitals to receive sick seamen gratuitously, *ib.*

Moneys expended to be accounted for and attested, s. 3.

Application of moneys how and when accounted for, s. 4.

8 V. c. 12—1845.

Governor may appropriate for support of shipwrecked and destitute seamen a sum not exceeding £150 yearly from fund created by 6 W. 4 c. 35.

SEAMEN, SUPPORT OF SICK AND DESTITUTE,

16 V. c. 166—1853.

Canadian vessels of 200 tons and under, trading to ports in British North America, exempted from above duty.

19, 20 V. c. 85—1856.

The above three acts continued to 1st January, 1857, and thence to the end of the next session of parliament, s. 1.

SEAMEN, WAGES OF,

6 W. 4, c. 28—1836—300.

Seamen of vessels belonging to or registered in this province, how may proceed for the recovery of their wages up to £20, stg., s. 1.

Proof, what required, *ib.*

Amount awarded to be levied by distress if not paid within 24 hours, *ib.*

If distress not sufficient, may then levy on ship, *ib.*

If ship not within jurisdiction of justice, party condemned may be imprisoned from 1 to 3 months, *ib.*

If any suit brought in Admiralty Court, which might have been brought under this act, plaintiff to have no costs, s. 2.

10, 11 V. c. 25—1847.

Shipowner, &c., not to pay wages in advance, or give advance note to seaman until six hours after signing articles; but payment in money may be made at any time after signing; wages to be paid to seaman himself, s. 11.

Payments made contrary to this act to be void, *ib.*

16 V. c. 165—1853.

Payments in advance to seamen before signing articles must be in money; limited to £1, s. 6.

Penalty for contravention, *ib.* *And see with respect to all matters connected with seamen, Imp. Act 17, 18 V. c. 104, (Merchant Shipping.)*

SEARCH WARRANT,

2 V. (1) c. 2—1838—163.

Justice may grant, for apprehension of disorderly persons—how, s. 10.

14, 15 V. c. 96—1851.

Justices when may grant, in matters of indictable offences, s. 4. *And see* Justices.

SEAT OF GOVERNMENT,

See Government Buildings, Toronto.

SECESSION CHURCH OF SCOTLAND,

3 W. 4, c. 27—1833—627.

Ministers of, to keep registers of marriages, baptisms and burials, s. 1.

Registers after removal of ministers where deposited, s. 2.

Registers to be valid, s. 3.

35 Geo. 3, c. 4, to be observed, s. 4. *And see* Registers.

SECOND ADVENT CONFERENCE IN CANADA EAST,

Ministers of, may have registers in Lower Canada, 16 V. c. 217.

SECRET INCUMBRANCES. See Ratification of Title.

SECRET SOCIETIES. See Oaths.

SECRETARY-TREASURER OF SCHOOL COMMISSIONERS,

9 V. c. 27—1846.

How chosen, s. 16.

Allowance to, s. 31. *But see* 12 V. c. 50, s. 22.

12 V. c. 50—1849.

What security to be given by; how when by *acte sous-seing privé*, s. 7.

School commissioners may remove and appoint new, *ib.*

No schoolmaster to be, *ib.*

Allowance to, may be increased to 4 per cent, s. 22. *But see below* 19, 20 V. c. 14, s. 8.

14, 15 V. c. 97—1851.

Penalty on, refusing information to school inspectors, s. 5.

Annual statement to be rendered by, to school commissioners, s. 10.

Copy of statement to be furnished to any rate-payer by secretary-treasurer on payment of 5s., *ib.*

19, 20 V. c. 14—1856.

Allowance to, may be increased to 7 per cent., but not to exceed £30 in any one year, s. 8.

Penalty on, for detaining books, &c., after ceasing to hold office, s. 15. *And see* Schools.

SECRETARY-TREASURER OF MUNICIPALITIES.

18 V. c. 100—1855.

Appointment of; duties; security, what and how to be given, s. 13. *And see below* 19, 20 V. c. 101, s. 10.

Liable to *contrainte par corps* for not accounting, *ib.*

Of county, to apportion amount of loan to be paid by each local municipality, s. 15, par. 9.

Clerk of commissioners' court may be; who disqualified from being, s. 17.

Fees of, how regulated, s. 19, par. 6.

To act as county superintendent in his absence, s. 21, par. 5.

How to collect assessments, and how liable, s. 74. *But see* 19, 20 V. c. 101, s. 25.

Penalty for neglect of duty, s. 76, par. 3.

Of local municipality, to be *ex officio* clerk of justices in prosecutions under this Act; duties as such, s. 77, par. 3.

19, 20 V. c. 101—1856.

May give notices under above Act *non obs.*, ss. 8, 9; s. 2.

May hold office of county superintendent, s. 10.

Duty of, with respect to collecting assessments, s. 25.

And see Municipal Corporations.

SECRETING EFFECTS BY DEBTOR,

See Affidavit—Attachment—Capias—Debtor.

SECURITY,

See the several subjects and officers as to which or from whom security is to be taken.

SECURITIES FOR MONEY,

4, 5 V. c. 25—1841.

Stealing public or private securities for money, or warrants for goods, &c., to be felony, s. 5.

SEED GRAIN, LOANS FOR PROCURING,

18 V. c. 75—1855.

Debts not exceeding £10, contracted in Lower Canada, before 15th July, 1855; for such grain, &c., to be privileged; extent and duration of privilege—registration not necessary, ss. 1, 2.

SEEDS—*See* Grain and pulse.

SEIGNIORIAL COMMISSIONERS,

18 V. c. 3—1854.

Appointment and duties of, ss. 2 to 13. *And see* 18 V. c. 103, and 19, 20 V. c. 53.

How paid, s. 17. *But see* Seigniorial tenure.

SEIGNIORIAL COURT,

18 V. c. 3—1854.

How composed—questions how submitted, s. 16.

19, 20 V. c. 53—1856.

Crown agents to be guided by decision of, s. 11, par. 2.

Provision in cases where no decision, by judges being equally divided, s. 14.

SEIGNIORIAL FUND,

18 V. c. 3—1854.

Of what to consist, s. 18.

SEIGNIORIAL TENURE,

7 V. c. 27—1843.

Seigniors of fiefs Nazareth, St. Augustin and St. Joseph, may commute with their *censitaires* on such terms as may be mutually agreed upon, and how, s. 1.

8 V. c. 43—1845.

How religious communities being seigniors of above fiefs may invest commutation moneys, s. 1. *See below* 18 V. c. 3; (*Seigniorial Tenures' Abolition Act*), s. 35, *especially exempting above Seignories from its operation.*

OPTIONAL COMMUTATION OF, THROUGHOUT LOWER CANADA FACILITATED.

8 V. c. 42—1845.

(*This Act and 12 V. c. 49, are repealed by 18 V. c. 3, s. 1, except as regards certain Seignories referred to in s. 35, (as amended by s. 7 of 18 V. c. 103,) of last mentioned Act; but all acts done under them to have same effect as if said Acts had not been repealed.*)

Commutation to take place by notarial deed, &c., s. 1.

SEIGNIORIAL TENURE,

OPTIONAL COMMUTATION OF, THROUGHOUT LOWER CANADA
FACILITATED.

Price of commutation, and how secured, s. 2.

Attested copies of deeds to be sent to receiver-general, s. 3.

5 per cent. on all commutations to be payable to the crown, as seignior *suzerain*, (unless remitted) and when, *ib.*

(*This section is repealed as to religious communities or other corporations by 12 V. c. 49, s. 1.*)

Proprietors of *arrière-fiefs* commuting, to send attested copy of deed to seignior *dominant*; and to pay over to him one-fifth of the commutation money, s. 4.

Seignior *dominant* to pay to the Crown 5 per cent on sums received by him, and attest amount on oath, s. 5. *But see below 12 V. c. 49.*

Proprietor of *arrière fief* may commute with seignior *dominant*, before commutation with *censitaire*, *ib.*

5 per cent on commutation money payable to crown, *ib.*

Proceedings in case of immediate payment by seignior *servant*, *ib.*

Penalty for not sending in copies of deeds of commutation as aforesaid, s. 6. *But see below 12 V. c. 49.*

Power of governor to remit indemnity due to the Crown, s. 7.

Commutation monies to be deemed immoveables; and *propres*, &c., s. 8.

Proceedings by *censitaire* wishing to make immediate payment, s. 9.

Public notice of commutation, &c. how given, s. 10.

Claims how and when to be made; how collocated, *ib.*

Fees, costs, &c.—Registers to be public, s. 11.

If no claims filed, bond of seignior cancelled, s. 12.

Duty of prothonotary as to payment of moneys by order of court, *ib.*

Effect of filing agreement and deposit of commutation money, &c., as to hypothecary claim on seignior, s. 13.

Rentes constituées or *foncieres*, under this Act subject to deposit, &c., on redemption, and to be attached to domain of seigniory, &c., s. 14.

Religious communities holding seigniories in mortmain may invest commutation moneys, s. 15.

Rentes constituées how redeemable, s. 16. *But see 12 V. c. 49.*

Commutation of rights held in mortmain or by corporations, how to be effected, s. 17. *But see 12 V. c. 49.*

Or entailed property, *ib.*

Penalty on tutors, administrators, *censitaires*, &c., fraudulently acting collusively, in certain cases, s. 18.

Duty of directors, &c., of communities and corporations, tutors, &c., s. 19.

Provision as to arrears of seigniorial dues, after commutation, s. 20.

Act not to affect commutations by Seminary of St. Sulpice, s. 21.

SEIGNIORIAL TENURE,

OPTIONAL COMMUTATION OF, THROUGHOUT LOWER CANADA
FACILITATED.

Commutation not to be effected for part only of seigniorial rights, s. 22.

Sect. 23 *repealed by* 16 V. c. 207.

How corporations, tutors, &c., holding lands *en roture* may commute, s. 24.

Seigniors to keep public registers with index, contents and use thereof, s. 25.

Accounting clause, s. 26.

12 V. c. 49—1849.

Certain parts of 8 V. c. 42, relating to mode of commutation of seigniorial rights by religious communities and corporations, repealed, s. 1.

Previous authority need not be obtained for such commutation, s. 2.

No other formality requisite than in cases of transfer of property from one person to another, *ib.*

May be made for any consideration agreed upon, *ib.*

No part thereof to be payable to the crown, *ib.*

16 V. c. 207—1853.

Sect. 23 of 8 V. c. 42, allowing commutation of *lods et ventes* without commutation of tenure, repealed.

This act is virtually repealed by 18 V. c. 3, which repeals the act it amends.

COMMUTATION OF, IN THE ROYAL DOMAIN,

10, 11 V. c. 111—1847.

Persons wishing to commute, to apply to local crown agent, stating certain particulars, exhibiting titles, &c., s. 1.

On payment of commutation money and all arrears, or on security for arrears being given, agent to execute deed of release and commutation, *ib.*

Form of deed; fee payable thereon; effect thereof; land to be thereafter held in free and common soccage, *ib.* *But see below* 19, 20 V. c. 53, s. 11.

Governor to appoint and instruct agents for the purposes of this Act, s. 2.

Fees to be taken by agents, s. 3.

Rate of commutation; of *cens et rentes*; *lods et ventes*, s. 4. *But see below* 19, 20 V. c. 53, s. 11.

In Quebec, Three-Rivers and William Henry, and in other places, *ib.*

Value of property in case of disagreement, to be ascertained by arbitrators, s. 5.

Nomination of arbitrators; their number; oath of office and duties, *ib.*

Costs of arbitration limited, and how paid, *ib.*

Award of two arbitrators to be final; to be confirmed by court of Queen's Bench (superior court), *ib.*

To be filed and enrolled; fees, *ib.*

On payment of price of commutation, or declaration of *cessitaire's* option that the same remain charged on property

SEIGNIORIAL TENURE,

COMMUTATION OF, IN THE ROYAL DOMAIN,

as a *rente constituée*, and on execution of deed of release by agent, all seigniorial rights to be deemed extinguished, s. 6.

Tenure to be thereafter by free and common soccage, *ib.*

But see below 19, 20 V. c. 53, s. 11.

Saving of privileges for commutation money, *ib.*

Amount due and to become due for *lods et ventes* fixed at a certain rate, s. 7.

Time allowed for payment of *lods et ventes* due, at time of passing of act, in city of Quebec and exceeding £40, *ib.*

Moneys arising from commutation to form a separate fund, s. 8.

Jesuits' estates fund to be kept distinct, *ib.*

Annual report to be laid before both Houses, *ib.*

Lands commuted into free and common soccage to be subject to laws of Lower Canada, with respect to sale, alienations, testamentary dispositions, descent, dower, &c., in same manner as lands held *en franc alev roturier*, s. 9.

Act not to affect rights of Her Majesty or others except as specially mentioned herein, s. 10.

18 V. c. 3—1854.

Governor in council may grant equal advantages to Crown *censitaires* as granted to others by this (Seigniorial Tenures' Abolition) Act, s. 35. *But see below* 19, 20 V. c. 53, s. 11.

18 V. c. 103—1855.

Schedules may be made for crown seigniories under provisions of 18 V. c. 3, *non obst.* that Act, if Governor see fit to direct the same; proviso, as to effect and use of such schedules, s. 8.

19, 20 V. c. 53—1856.

Advantages similar to those granted by s. 3, of 18 V. c. 103, allowed to crown *censitaires*, s. 11.

Lods et ventes abolished in crown seigniories from 30th May, 1855, *ib.* par. 1.

Crown agents to be guided by decisions of Seigniorial Court; exception, *ib.* par. 2.

Unconceded lands and waters of crown seigniories to be absolute property of Crown; to be granted hereafter *en franc alev roturier*, *ib.* par. 3.

See also Imp. Acts, 3 G. 4, c. 119 and 6 G. 4, c. 59.

SEIGNIORIAL TENURE, ABOLITION OF FEUDAL RIGHTS AND DUTIES.

18 V. c. 3—1854.

Acts 8 V. c. 42 and 12 V. c. 49 repealed as regards seigniories to which this Act applies, s. 1. (*As to the few seigniories excepted from operation of this Act, see section 35.*)

Deeds granted and things done under said Acts to remain in full force, *ib.*

SEIGNIORIAL TENURE,

DETERMINATION OF PRICE TO BE PAID BY SEIGNIOR AND CENSITAIRE FOR COMMUTATION OF TENURE.

Commissioners—Governor may appoint under this Act ; their oath of office, s. 2.

Commissioners, their remuneration, s. 3.

Commissioners, may act as such in any part of Lower Canada, but Governor may assign to each a particular seignior or seigniories, s. 4. *Aud see* 18 V. c. 103, s. 6.

Their duties, s. 5.

To value the several rights hereinafter mentioned ; and draw up schedule for each seignior showing : 1. Its total value, including value of rights of the crown. 2. Value of rights of the crown as seignior *dominant*, including any reservations in original grant ; and any difference between absolute value *en franc-aleu roturier* of unconceded lands, &c., and of value of seignior's rights therein as ascertained by decisions of seigniorial court. 3. Value of rights of seignior *dominant*, if seignior be an *arrière-fief*. 4. Yearly value of seigniorial rights on each separate lot, (what to be entered and valued as lucrative rights). 5. Extent of each lot and purposes for which it is held. 6. By what commissioner to be guided in determining charges upon and extent of each lot. 7. Lots, how to be described in schedule. 8. Commuted lands how to be entered.

Certain rules laid down for guidance of commissioners in making valuation, s. 6.

1. As to yearly value of *cens et rentes* and annual charges payable in money or in kind, and of *corvées*.

2. Casual rights :—*Lods et ventes* ; distinction to be made between building lots and lands held for agricultural purposes ; yearly value of, how to be apportioned ; how where commuted into a *rente*. *But see below* 19, 20 V. c. 53, s. 1.

3. *Droit de banalité*.

4. Other rights.

5. Yearly value of each class of rights to become a *rente constituée* charged upon the land ; *cens-~~et~~ rentes* when to cease and *rente* to begin ; as to broken periods.

6. Value of rights of seignior *dominant* in an *arrière-fief* to form capital of *rente* ; how payable and from what date accruing ; seignior *dominant* to have certain share in provincial aid afforded to seignior *servant* ; proportionate reduction to be made in *rente constituée* payable by seignior *dominant*.

Paragraph 7 (as to casual rights of crown) is repealed by 19, 20 V. c. 53, s. 2.

Public notice to be given by commissioner before beginning his inquiry, and how, s. 7. *And see* 18 V. c. 103, s. 6.

Commissioners may enter upon all lands in the seignior for the purpose of examination, s. 8.

May command assistance of peace officers, &c., *ib.*

May examine persons on oath ; and summon persons for the purpose of being examined ; and may call for production of books, &c., s. 9.

SEIGNIORIAL TENURE,

DETERMINATION OF PRICE TO BE PAID BY SEIGNIOR AND CENSAIRE
FOR COMMUTATION OF TENURE.

Penalty in case of disobedience or neglect; and to whom payable and how recovered, *ib.*

Party may be committed in default of payment after judgment, *ib.*

Sect. 10 is repealed by 19, 20 V. c. 53, s. 4.

After completion of schedule, notice to be given that it will remain open for inspection for a certain time; notice how given, s. 11.

But see 19, 20 V. c. 53, s. 5, repealing the remainder of this section including the two sub-sections, and substituting another provision.

Court of revision:—

1. Four commissioners to be selected by governor, three of whom shall form such court, s. 12. *And see below 19, 20 V. c. 53, s. 9.*

2. Decision of two to be final, *ib.*

3. Commissioners to proceed summarily, *ib.*

May order evidence to be adduced, *ib.*

To have same powers in this respect as in making schedules, *ib.* *But see below 19, 20 V. c. 53, s. 8.*

4. No commissioner to sit in revision of his own schedule, *But see 19, 20 V. c. 53, s. 6.*

Paragraphs 5 and 6 are repealed by 19, 20 V. c. 53, s. 7.

7. They may award and tax costs; how recovered.

On completion of any schedule, commissioner to transmit one triplicate to receiver general, deposit one in superior court for district, and retain third in his own hands, s. 13.

To give public notice thereof and how, *ib.*

Copies, how furnished: one to be furnished to seignior on demand; cost, how defrayed; copies and extracts to be authentic, *ib.*

ABOLITION OF FEUDAL RIGHTS AND DUTIES.

From what date lands in any seigniority to be held *en franc aleu roturier*, s. 14. *But see below 19, 20 V. c. 53, s. 10.*

Rente constituée to be substituted for all seigniorial charges, &c., *ib.*

Seignior to hold domain, unconceded lands and *rentes constituées*, free from all dues to the Crown or seignior dominant, *ib.*

No land to be thereafter granted under any other tenure than *franc aleu roturier*: proviso, no seignior to concede unconceded lands until after notice of deposit of schedule, *ib.* *But see below 19, 20 V. c. 53, s. 17.*

Rights acquired by seignior before passing of Act, with respect to taking land adjoining water powers, to remain in force, s. 15.

Proviso: How and when owner of such land may demand it from seignior, *ib.*

DETERMINATION OF LEGAL RIGHTS OF SEIGNIOR AND CENSAIRE.

Questions and counter-questions, calculated to decide the points of law which will come under the consideration of

SEIGNIORIAL TENURE,

DETERMINATION OF LEGAL RIGHTS OF SEIGNIOR AND CENSITAIRE.

the commissioners, to be submitted to special seigniorial court hereby organized by the Attorney General and by the *censitaires*, s. 16. (*Effete.*)

Decision pronounced on each question to guide the commissioners, and to have the effect of a judgment *en dernier ressort* upon the point, *ib.* par. 9. *But see below* 19, 20 V. c. 53, s. 14.

PROVINCIAL APPROPRIATION FOR RELIEF OF CENSITAIRES AND EXPENSES—OF THIS ACT.

Commissioners to be paid out of Consolidated Fund, and how; also certain sums for other purposes of this Act, s. 17.

Total amount payable under this Act not to exceed the special fund appropriated by it, by more than £150,000; *ib.* Special fund created and for what purposes, s. 18.

Special fund how to be appropriated in aid of *censitaires*, s. 19.

Value of crown rights, &c., to be applied to reduction of *rentes* representing *lods et ventes*, *ib.* par. 2.

Remainder of special fund to be apportioned among the several seigniories. *b.* par. 3.

1stly.—To redemption of *rentes* representing *lods et ventes*. *And see below* 18 V. c. 103, s. 3.

2ndly.—*Banalité*.

3rdly.—*Cens et rentes* exceeding one penny half penny per arpent.

Rentes to be reduced in proportion of the legal interest on capital applied thereto, *ib.* par. 4.

To whom sums thus apportioned held to belong; how to be dealt with, *ib.* par. 5.

APPLICATION OF MONEYS ARISING FROM REDEMPTION OF SEIGNIORIAL RIGHTS, &c.

Privileges of seigniors *dominants* and hypothecary creditors how preserved, s. 20.

Oppositions how, when and where to be filed: effect thereof: costs, *ib.*

Minors, interdicts, married women, &c., must file oppositions: tutors, &c., how responsible, s. 21.

How if no opposition filed, s. 22. *But see below* 19, 20 V. c. 53, s. 19.

Moneys how distributed in case of oppositions, s. 23.

Rentes on lands belonging to corporations, minors, &c. how may be redeemed, s. 24.

Religious communities empowered to invest moneys accruing to them as seigniors, in real estate or otherwise, s. 25.

DESTINATION AND LEGAL CHARACTER OF PROPERTIES AND RIGHTS HEREAFTER TO REPRESENT SEIGNIORIES.

What shall represent seigniori as regards rights acquired before notice of deposit of schedule and for which oppositions are filed, s. 26.

SEIGNIORIAL TENURE,

DESTINATION AND LEGAL CHARACTER OF PROPERTY AND RIGHTS
HEREAFTER TO REPRESENT SEIGNIORIES.

What as to rights accruing afterwards or for which no opposition is filed, *ib.* *But see below* 19, 20 V. c. 53, s. 19.

Privilege of *rentes* created under this Act; need not be registered, s. 27.

Five years' arrears only may be recovered, *ib.*

Judgment for, how may be levied, *ib.*

Rentes when, and when not redeemable, s. 28. *But see below* 18 V. c. 103, s. 1.

Rentes on what day and how redeemable, s. 29. *But see below* 18 V. c. 103, s. 1.

MISCELLANEOUS PROVISIONS.

Seignior need not file opposition *à fin de charge* to preserve his rights in case of sale under execution, s. 30.

If filed, shall not stay sale: no costs allowed: how returned, s. 31.

Seignior's privilege for arrears due at time of commutation maintained, s. 32.

CERTAIN LANDS DECLARED TO BE AND TO HAVE BEEN HOLDEN EN
FRANC ALEU-ROTURIER.

Lands heretofore commuted, from date of commutation: proviso, when for an annual rent, s. 33.

Lands on which mortmain dues have been paid, but subject to *rente* equal to *cens et rente*, s. 34. *And see below* 19, 20 V. c. 53, ss. 10 and 17.

INTERPRETATION AND EXTENT OF ACT.

Not to extend to wild and unconceded lands in seigniories held by the Crown in trust for the Indians, s. 35.

Seigniories held by Seminary of St. Sulpice, *ib.*

Fiefs Nazareth, St. Augustin, St. Joseph, Closse and La-gauchetière; and *arrière fiefs* depending upon them, *ib.*

Seigniories held by late Order of Jesuits; other Crown seigniories; Ordinance seigniories, *ib.*

Clause relating to lands held en franc aleu noble, repealed by 18 V. c. 103, s. 7.

Proviso: Governor may grant to *censitaires* of Crown seigniories, upon commutation, equal advantages as are granted under this Act to other *censitaires*, *ib.* *But see, as to this section below* 18 V. c. 103, s. 8—19, 20 V. c. 53, s. 11.

Act not to affect seigniorial arrears accrued before passing thereof; or give right of action not previously existing; or decisions of claims before special court, s. 36.

Interpretation of certain words, s. 37.

Right of making further provisions, &c., reserved, s. 38.

Intent of Act declared; to receive most liberal construction possible, *ib.*

Interpretation Act to apply, s. 39.

Act to be called "Seigniorial Act of 1854," s. 40.

To apply to L. C. only, s. 41.

Form of notice of deposit of Schedule. (Form A.)

SEIGNIORIAL TENURE,

TO PROVIDE FOR ABOLITION OF.

18 V. c. 103—1855.

- Sections 28 and 29 of 18 V. c. 3, amended, s. 1.
Rentes constituées in seigniories in regard to which oppositions are filed, may be redeemed at any time by payment of capital and interest to receiver general, *ib.*
- Disposal of moneys, *ib.*, par. 2.
 How, where seigniories entailed or held in trust, *ib.*
 Proviso: court may, on petition, order money to be invested in real estate before expiration of substitution, &c., *ib.*
- How, where oppositions filed by hypothecary creditors, *ib.*
 How and when *rentes* may be redeemed in case of seignior being entitled to receive capital for his own use, *ib.*, par. 3.
Lettres de terrier abolished as regards seigniories to which Act of 1854 and this Act apply; 48 G. 3, c. 6, repealed as to such seigniories, s. 2.
- No mutation fines to accrue after passing of this Act; how compensated, s. 3.
Rente constituée, payable to seignior *dominant*, to accrue from passing hereof, *ib.*
 How, if schedules be not deposited on 1st Jan., 1856, *ib.*
 Seigniors may be required to make statement attested before judge of superior or circuit court, *ib.*
- Proviso, as to amount to which U. C. may be entitled under s. 19 of 18 V. c. 3, *ib.* *But see, as to this section below* 19, 20 V. c. 53, ss. 11, 12.
- Retrait conventionnel* abolished, s. 4.
 Moneys of special fund to be invested; interest, how applied, s. 5.
- Certain doubts removed; one commissioner may give notice with respect to any seignior, and another afterwards act, s. 6.
- Commissioner acting for any seignior to be held to be commissioner assigned to the same, unless otherwise ordered by Governor, *ib.*
- Part of s. 35 of 18 V. c. 3, repealed; said Act to apply to lands held *en franc alevu noble*, and granted under 3 G. 4, c. 14; proviso, as to when schedules may be deposited, s. 7.
- Governor may direct schedules to be made for Crown seigniories in same manner as for other seigniories, and with like powers to commissioners, s. 8.
 Proviso, no part of appropriation to be applied to redemption of seigniorial rights therein, *ib.*
- Schedules not to be deposited, nor any compulsory commutation of tenure take place, *ib.*
 But governor may allow equal advantages to *censtaires* on commutation as may be obtained by other *censtaires* under said Act, *ib.*
- Certain errors in French version corrected, s. 9.
 Schedules after deposit not to be impeached for any informality, error, &c. unless the same appear on face thereof, s. 10.

SEIGNIORIAL TENURE,

TO PROVIDE FOR ABOLITION OF.

Same rule to apply to all proceedings of commissioners, *ib.*
Censitaires, who to be deemed for purposes of said Act,
 s. 11.

Penalty for obstructing commissioners, &c. s. 12.

How convicted : conviction not to be quashed or removed
 by *certiorari* for want of form, *ib.*

Title of Act " Seigniorial Amendment Act of 1855," s. 13.

19, 20 V. c. 53—1856.

18 V. cc. 3 & 103 amended.

Commissioners may adopt other equitable mode when rule
 prescribed by section, 6, par. 2, of 18 V. c. 3, cannot be
 adopted, s. 1.

Par. 7 of section 6 of 18 V. c. 3 repealed, s. 2.

Casual rights of the Crown how to be estimated and ap-
 portioned, s. 3.

Section 10 of 18 V. c. 3 and all provisions relative to ap-
 pointment of *experts* repealed, s. 4.

Section 11 of said Act in part repealed and other provisions
 with respect to deposit of schedules and correction thereof
 substituted, s. 5.

Par. 4 of section 12 of said act to apply only to commis-
 sioners who shall have completed schedule in question,
 s. 6.

Pars. 5 and 6 of section 12 of said act, repealed, s. 7.

Application for revision of schedule, how and when to be
 made, s. 8.

Commissioners, how to proceed on receipt of petition for re-
 vision, *ib.*

Commissioners forming court of revision, where and for
 what seigniories to sit, s. 9.

But petition for revision may be presented in any district,
ib.

Tenure of certain unsettled seigniories, changed to *franc-
 aleu roturier*, s. 10.

Difference in value of such seigniories, and also of the rights
 of the crown to be ascertained and paid by seignior, *ib.*

Amount thereof to form part of *censitaire* fund, *ib.*

This section, when and how may be applied to seigniories
 that may be found to be wholly unconceded, *ib.*

Advantages similar to those granted by s. 3, of 18 V. c. 103,
 allowed to crown *censitaires*, s. 11.

Lods et ventes abolished in crown seigniories, from 30th
 May, 1855, *ib.* par. 1.

Crown agents to be guided by decisions of seigniorial court ;
 exception, *ib.* par. 2.

Unconceded lands, and waters in crown seigniories to be
 absolute property of crown ; and to be granted hereafter
en franc aleu roturier, *ib.* par. 3.

Section 3 of 18 V. c. 103 amended, s. 12.

Commissioners to make separate statement for each seigniorie
 shewing, *ib.*

SEIGNIORIAL TENURE,

TO PROVIDE FOR ABOLITION OF.

1. Average yearly revenue from *lods et ventes*.
 2. *Quint*.
 3. *Relief*.
 4. Certain other casual rights.
 5. Such statement to be forwarded to receiver-general.
- Amount thereof how, when and for what time to be paid by receiver-general to seignior *dominant* instead of interest mentioned in said section, *ib*.
- To be debited to seignior on account of provincial appropriation, *ib*.
- Provisions with respect to manner of computing amount to be deducted on account of such provincial aid, *ib*.
- Provision in case of seignior being indebted to the crown for any seigniorial right, s. 13.
- Provision in cases where seigniorial court being equally divided has rendered no judgment on questions submitted, s. 14.
- Commissioners empowered to examine repertories of notaries; penalty on notary refusing, s. 15.
- In making schedule, present boundaries of seignior to be deemed those possessed by seignior, s. 16.
- From passing of this Act all unconceded lands to be held *en franc-aleu roturier*, and seignior to have free disposal thereof, s. 17.
- Exception when seignior entailed, *ib*.
- No lands in free and common soccage or *franc-aleu roturier*, to be charged with perpetual irredeemable rents, s. 18.
- Such rents to be always redeemable on payment of principal and interest, *ib*.
- Stipulations in deeds of conveyance of mutation fines and other feudal burthens, to be null and void, *ib*.
- Error in ss. 22 and 26 of 18-V. c. 3, with respect to notice to be given by receiver general, corrected, s. 19.
- Short title of Act, s. 20.

SEIZIN,

4 V. c. 30—1841—195.

Livery of, not required in bargain and sale, s. 38.

SEIZURE. See Execution—Fraudulent Seizure—Lands.

SEMINARY OF QUEBEC,

May hold further property, 7 V. c. 55.

SEMINARY OF ST. HYACINTHE,

Incorporated 3 W. 4, c. 36—Act amended, 16 V. c. 83.

SEMINARY OF ST. SULPICE. See St. Sulpice.

SENTENCE OF DEATH. See Death, Sentence of.

SENTENCE,

4, 5 V. c. 24—1841.

Imprisonment after, to be reckoned in the term of transportation, s. 6. *But see* Imprisonment.

When to commence, under a second conviction, s. 29.

SEPTUAGENARIANS,

12 V. c. 42—1849.

Exempted from arrest under *ca. re.*, s. 1.**SERJEANT OF MILITIA,**

7 V. c. 19—1843.

Disqualified from being a commissioner of small causes, s. 1.

Or clerk of commissioners' court, s. 29.

May serve summons but not executions in commissioners' court, s. 33.

SERMENT DÉCISOIRE,

41 G. 3, c. 15—1801—143.

Admitted in commercial matters, s. 1.

12 V. c. 38—1849.

May be ordered to be taken in any place, s. 30.

SERVANTS; See Masters and Servants—Police.**SERVICE,**

See the Subjects to which the service relates as Attachment—Debtor—Declaration—Delay—District—Garant—Hypothecary Actions—Lessors and Lessees—Partnerships—Prerogative Writs—Reprise d'instance—Writs, &c.—and see also Administration of Justice—Commissioners' Courts—and Supplement.

SESSIONS OF THE PEACE,

See Quarter Sessions—Weekly Sessions.

SHARES IN STOCK OF INCORPORATED COMPANIES.

Seizure of under execution. See Stock.

SHARTS, REV. WILLIAM,

Naturalized, 4, 5 V. c. 85.

SHEEP, See Animals—Dogs.**SHERBROOKE,**

18 V. c. 99—1855.

Registration division of, defined, s. 11.

SHERBROOKE COTTON FACTORY,

Incorporated, 8 V. c. 91.

SHERBROOKE AND RICHELIEU RAIL-WAY COMPANY.

Incorporated 4 V. c. 10, charter amended, 4, 5 V. c. 47.

SHERBROOKE, TOWN,

8 V. c. 18—1845.

Ordinance concerning appointment of Peace Officers extended to it.

18 V. c. 100—1855.

Included within county of Compton for municipal purposes s. 4, par. 5. *And see Representation.*

SHERIFF,

25 G. 3, c. 2—1785—85.

Coroner to act as, when sheriff personally interested, s. 14.

6 W. 4, c. 15—1836—152.

Office of, regulated.

Sheriff or coroner to give security, s. 1.

Security; amount of; conditions of bond, s. 2.

Bond to be in duplicate; where recorded, s. 3. *But see* 4, 5 V. c. 91, ss. 13 and 14.

Bond before being executed, what notice to be given, s. 4.

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Escapes—Sheriff only liable for, in damages, in cases of debt when from connivance or neglect, s. 17. *But see* 12 V. c. 42.Sheriff to account under oath on 1st day of every term in courts of King's Bench, civil side, (*superior court now?*) s. 18.What to be accounted for, *ib.*

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4, 5 V. c. 91—1841.

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Act to apply to bonds and covenants by sheriffs, whether now existing or hereafter to be given; and the provisions and penalties of this Act to apply to sheriffs, s. 11.

See Public Officers, for the remaining provisions of this Act, and the amendments made to it.

12 V. c. 38—1849.

Of new districts how appointed; their powers, duties and liabilities; of old districts to remain, s. 12.

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12 V. c. 42—1849.

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12 V. c. 44—1849.

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13, 14 V. c. 37—1850.

Of Montreal, Quebec, Three-Rivers and St. Francis to cease to receive fees for their own use, s. 2. *And see* 18 V. c. 98, extending above provision to the new districts. See also Officers of Justice.

18 V. c. 100—1855.

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19, 20 V. c. 50—1856.

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Or owner may assign vessel to party advancing—Effect of assignment—Proviso—Saving owner's right of action of account, s. 2.

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4, 5 V. c. 26—1841.

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18 V. c. 100—1855.

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4, 5 V. c. 25—1841.

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4, 5 V. c. 26—1841.

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4, 5 V. c. 25—1841.

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10, 11 V. c. 21—1847.

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12 V. c. 10—1849.

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4, 5 V. c. 27—1841.

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10, 11 V. c. 12—1847.

Any two justices may appoint special constables in case of apprehended riot, felony, &c., s. 1.

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Punishment for assaulting them, or encouraging others so to do, s. 9.

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10, 11 V. c. 13—1847.

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14, 15 V. c. 89—1851.

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See Distillers—Taverns.

SQUATTERS,

13, 14 V. c. 40—1850.

Duty and powers of justices with respect to offences under Agricultural Act, where offender is a squatter, s. 5.

14, 15 V. c. 92—1851.

Proprietors of township lands may summon parties in illegal possession before circuit court, or circuit or superior court judge in vacation, by summons issued out of circuit court, s. 1.

Cause how proceeded with if adverse title pleaded, *ib.* *But see below* 16 V. c. 205, s. 1.

Such action to be subject to rules and become record of circuit court, until removed to superior court, s. 2.

Judgments in vacation to have same force as those in term, *ib.*Evidence, how taken, *ib.*

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Delay for appealing; security what required, and how put in, s. 5. *But see below* 16 V. c. 205, s. 5.

Appeals, how to be prosecuted, s. 6.

Circuit court to have jurisdiction under this act in matters above £50 cy., s. 7. *And see below* 16 V. c. 205, ss. 3, 4.

Security under section 1, how and when may be given, s. 8.

Appeal allowed from superior court to Queen's Bench, s. 9.

Costs—what allowed in actions under this act, s. 10.

Act not to affect claims for betterments, nor any pending suits, s. 11.

Act to apply only to free and common soccage lands, in townships, s. 12.

Extent of Act, *ib.*

16 V. c. 205—1853.

14, 15 V. c. 92, cited, s. 1.

Defendant in any case may evoke action under said act into superior court, *ib.*

Security, when and what to be given in such case, s. 2.

Right to evoke, forfeited in case of failure to furnish security, *ib.*

Plaintiff in such action may also demand rents and damages, s. 3.

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Circuit court or judge, or judge of superior court, to have jurisdiction whatever amount demanded, *ib.*

Defendant may put in incidental demand for all betterments, &c., and circuit court to have jurisdiction whatever the amount thereof, s. 4.

Security what required from defendant appealing, s. 5.

Provisions as to actions already commenced but in which issue has not been joined, s. 6.

By 19, 20 V. c. 85, *the above two Acts are continued to 1st January, 1857, &c.*

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STABBING,

4, 5 V. c. 27—1841.

With intent to murder, felony, death, s. 9.

18 V. c. 92—1855.

Defendant acquitted of the felony, may be found guilty of unlawfully stabbing, s. 31.

STACKS OF CORN, GRAIN, &c.

10, 11 V. c. 4—1847.

Attempting to set fire to any stack, felony, when, s. 7.

18 V. c. 92—1855.

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STANDARD WEIGHTS AND MEASURES,

See Coals,—Grain,—Weights and Measures—and the several Weights and Measures by name.

STANSTEAD, SHEFFORD AND CHAMBLY RAILROAD COMPANY,

Incorporated, 16 V. c. 107.

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See Census—Geological Survey—Registration and Statistics—Returns—and Supplement.

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18 V. c. 100—1855.

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STATUTES, PROVINCIAL,

7 V. c. 4—1843.

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See also Acts of Parliament—Interpretation.

STEALING, *See* Larceny.

STEAMBOATS,

14, 15 V. c. 126—1851.

Sections 1, 2 and 3 do not apply to Lower Canada.

Inspectors of hull and of machinery, to be appointed by the Governor, s. 4.

To give certificates of hull inspected, s. 5.

Fee for the same, £2 10s., *ib.*

To give certificates of inspection of boiler and machinery, s. 6.

Certificate not to be given unless steamboat provided with a proper steam gauge, s. 6.

Fee for inspection, £2 10s., *ib.*

Hull to be inspected once in 12 months—boiler and machinery once every 6 months, under penalty of £100, s. 7.

Steam gauge to be erected in a conspicuous place for the inspection of passengers; and upon the stoppage of the vessel for any purpose, safety valve to be opened, under penalty of £50, s. 8.

Exceeding steam pressure limited in certificate, concealing or falsifying steam gauge, &c., penalty for, £50, *ib.*

Steamboats to carry two long boats, competent to carry twenty persons each; exceeding 200 tonnage, then not less than three boats, under penalty of £50, s. 9. *See below.*

To be provided with fire-engine and hose, &c., under penalty of £50, s. 10.

Owners liable for damages through wilful default of the master, s. 11.

Penalties, how recoverable, s. 12.

16 V. c. 167—1853.

One of their boats, at least, to be a life-boat, s. 1.

Steamers to carry life-preservers, s. 2.

To have means of escape to the upper deck provided, s. 3.

See also Navigation, as to Steamboats and other vessels.

STEAMERS,

16 V. c. 9—1852.

Line of to United Kingdom, £19,000 a year granted during 7 years, to encourage, on certain conditions.

See also Navigation—Steamboats.

STERLING,

12 V. c. 38—1849.

In all judicial matters, the pound sterling to be equivalent to £1 4s. 4d. currency, s. 91. *And see* Currency.

STEVENS, AARON,

His attainder reversed, &c., 14, 15 V. c. 170.

STILLS, *See* Distillers.

STIPENDIARY MAGISTRATES,

14, 15 V. c. 95—1851.

May act alone in place of two justices under this (Summary Convictions) Act, s. 29.

Forms in schedules may be altered accordingly, *ib.* And see 14, 15 V. c. 96, (Indictable Offences) s. 21, containing the same provision.

STOCK,

12 V. c. 23—1849.

Shares and dividends of stockholders to be held personal property and liable to seizure and sale under execution, s. 1.

Mode of proceeding to such sale, &c., *ib.*

Sheriff to serve a copy of the writ on the company with notice of seizure, s. 2.

Stock not to be transferred while under seizure.

Provision if there be more than one place where service can be made on the Company, s. 3.

Shares to be deemed personal property found by the Sheriff, s. 4.

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12 V. c. 10—1849.

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STOLEN PROPERTY,

4, 5 V. c. 25—1841.

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Taking reward, for recovery of, without bringing the offender to trial, felony, s. 50.

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STUART, C. J.,

Admission to practice, &c., in Lower Canada, 12 V. c. 195.

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27 G. 3, c. 6—1787—180.

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SUBROGATE TUTOR,

4 V. c. 30—1841—195.

Liable in damages for neglect to enregister memorial of Tutor's appointment, in default of tutor, s. 22. And see 12 V. c. 48, s. 1.

SUBSTITUTIONS,

9 G. 4. c. 20—1829—195.

Not affected by ratification of title, s. 8. *But see* s. 7.

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18 V. c. 3—1854.

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18 V. c. 103—1855.

Rentes under 18 V. c. 3, how may be redeemed, and moneys how paid in case of: Proviso, ss. 1, 2, *And see* Seigniorial Tenure.

18 V. c. 101—1855.

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Where and within what delay to be registered, *ib.*

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SUMMARY CONVICTIONS, *See* Justices.

4, 5 V. c. 24—1841.

Defendant entitled to defend by counsel or attorney, in all cases of summary conviction, s. 10.

14, 15 V. c. 119—1851.

Under the 4, 5 V. cc. 25, 26, 27, warrant of distress may be issued for fine and costs, s. 4.

In default of levy, defendant may be committed, *ib.*

Prosecutor failing, if liable to costs, warrant of distress may be issued for, s. 5.

See also Conviction—Justices of the Peace—Malicious Injury to Property—and the matters to which the convictions relate.

SUMMONS,

14, 15 V. c. 95—1851.

In matters of summary convictions, form of; when to be issued by justice and how served, s. 1.

Informality in, not to be objected, *ib.*

In summary proceedings one justice may issue, but need not be present at hearing, s. 25.

14, 15 V. c. 96—1851.

In indictable matters how and when may be issued, s. 1.

Application for, need not be under oath, s. 4.

Form of;—how served; no objection to be allowed for defect of form, &c., or variance with evidence, s. 5.

16 V. c. 195—1853.

Writs of, in circuit court to be executed in another district may be addressed either to bailiff or sheriff, s. 1.

18 V. c. 97—1855.

Want of form in, or variance with evidence, not sufficient to base appeal on, unless party misled thereby, though justice refused to adjourn, s. 1. *And see* Justices—Writs, and the several subjects to which the summons may relate; also Administration of Justice—Criminal Law—Commissioners' Courts.

SUNDAY,

45 G. 3, c. 10—1805—65.

Penalty on persons selling goods or spirits, &c., on, s. 1.

But see 14, 15 V. c. 100, s. 12.Not to prevent sale of spirits, &c., to sick persons; or the *usu-fruit* of estates of minors or interdicts, s. 2. *But see* 18 V. c. 117, *repealing this portion*.Or effects destined for pious uses, *ib*.Fines, how recovered, s. 3. *But see* 7 G. 4, c. 3, s. 10.

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7 V. c. 14—1843.

Exemption from toll on public roads going to or returning from Divine Service on Sundays or holidays, s. 2.

12 V. c. 38—1845.

In matters of judicature, when things to be done fall on, to be done on next juridical day, s. 90.

14, 15 V. c. 96—1851.

Justice may issue warrants on, as on any other day, s. 3.

14, 15 V. c. 100—1851.

Tavern-keepers, &c., not to sell spirits, &c., to any person whomsoever on, except sick persons or travellers, s. 12.

18 V. c. 117—1855.

Portion of section 2, of 45 G. 3, c. 10, providing that said act should not prevent sale of estates of minors, &c., on sundays, repealed, s. 1.

No property to be sold on, under authority of justice; such sale to be null, *ib*. *And see* Holiday—Public Worship.

SUPERINTENDENT OF POLICE,

2 V. (1) c. 2—1838—163.

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14, 15 V. c. 95—1851.

To have power of two justices in matters of summary convictions, s. 29.

14, 15 V. c. 96—1851.

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SUPERINTENDENT OF SCHOOLS,

9 V. c. 27—1846.

To appoint commissioners and secretary-treasurer where no election had in municipality, s. 12.

How appointed, his duties, s. 35: 1. To receive and distribute moneys. 2. To prepare forms. 3. To prepare recommendations for management of schools. 4. To keep books. 5. To examine accounts. 6. To make annual report.

12 V. c. 50—1849.

To give notice of alteration or election of new school municipality by governor, s. 1.

When may exempt indigent municipalities from assessment, s. 5. *And see* 19, 20 V. c. 14, s. 7.

SUPERINTENDENT OF SCHOOLS,

- Appeal to, from commissioners when to lie, ss. 11, 15.
- Deputy how appointed in certain cases, his powers, s. 23.
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19, 20 V. c. 14—1856.

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May levy special assessment for payment of debts of municipalities in certain cases, s. 10.

When may refuse share of school fund to municipality,
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19, 20 V. c. 54—1856.

Libraries to be under control of, s. 10.

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12 V. c. 38—1849.

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Expenses of civil government for 1842, and from 1st Jan. to 31st March, 1843, 6 V. c. 9.

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Expenses of civil government for 1846, and for public works, 9 V. c. 63.

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- Expenses of civil government for 1851, education, public works, &c., as per schedule, 14, 15 V. c. 46.
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- Expenses of civil government for 1853, education, public works, &c., as per schedule, 16 V. c. 156.
- Expenses of civil government for 1854, education, public works, &c., as per schedule, 18 V. c. 4.
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- See also Civil List—Finance—Salaries—and the matters for which special Acts have been passed granting money.*

SURETIES,

- See Public Officers—Security—and the subjects to which the suretyship relates.*

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8 V. c. 11—1845.

- Office of, consolidated with that of commissioner of crown lands, s. 1.
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SURVEYORS AND SURVEYS,

57 G. 3, c. 26—1817—644.

- Surveyors to regulate their instruments at the Meridian stones, s. 2.

12 V. c. 35—1849.

- To repeal former Acts, and make better provision respecting. Repeal of former Acts and ordinances, s. 1.
- Boundaries, &c., under them to remain valid, *ib.*
- Sect. 2 (penalty for practising without license) is repealed by 18 V. c. 83, sec. 1.*
- Qualification and apprenticeship, s. 3.
- Proviso, in favor of persons who have already been admitted in U. C., or other parts of Her Majesty's dominions, *ib.*
- Proof of service of apprenticeship, *ib.*
- Candidates to undergo examination before a board, s. 4.
- How such board shall be composed, *ib.* *But see below 14, 15 V. c. 4, sec. 2, and 19, 20 V. c. 13, s. 3.*
- Certificates to be given to those found qualified; they may be examined on oath as to their actual practice in the field, &c.,
- Board to appoint a secretary, s. 5.
- Meetings of the board, on the first Monday in January, April, July and October, s. 6.
- Candidates to give notice to the secretary, s. 7.
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Rules to be observed by Surveyors in making surveys in townships in L. C., s. 20.

Governor may, if he thinks fit, cause meridian lines to be drawn at certain places, s. 21.

French measures to be used in seigniories, and English in townships, s. 22.

Surveyors to keep their *Procès-Verbaux* in regular order, by years, and with repertory and index, s. 24.

Official minutes, and papers of a deceased Surveyor to be deposited with the Prothonotary of the district, and open to the public, s. 25.

Share of his widow, &c., in the fees received on such papers, *ib.*

Sections 26 to 30, both inclusive, and 32 to 47, both inclusive, relate only to the mode of drawing boundary lines in U. C.

How and in what cases, municipal councils may cause monuments, or stone boundaries to be placed on concession lines in townships, s. 31.

Their effect, and how the expenses thereof shall be paid, *ib.*

This sect. (31), is extended to townships in L. C. by 18 V. c. 83, s. 11.

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14, 15 V. c. 4—1851.

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Any three to form a quorum; their powers and duties, &c., *ib.*

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18 V. c. 83—1855.

Sections 2 and 40 and part of section 8 of 12 V. c. 35, repealed, s. 1.

Examiners of applicants for admission, how paid, *ib.*

None but licensed persons under this or former Acts to act as Surveyors, s. 2.

Fee on transmission of articles to secretary of the board, s. 3.

Applicants to be examined before they can become apprentices to surveyors, s. 4.

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Allowance to surveyors summoned as witnesses, s. 6.

Proceedings when a surveyor shall require any information or document in the possession of a third party refusing to give or produce the same, s. 7.

Order of Judge may be obtained for compelling any person to give such information, or produce such document, *ib.*

Municipal councils may cause the boundaries of lots in any concession, &c., to be ascertained and marked under section 31 of 12 V. c. 35, s. 8.

Expenses, how to be paid, *ib.*

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18 V. c. 100—1855.

Income of surveyors residing and practising in a local municipality, to be assessed for municipal purposes, s. 70, par. 2.

19, 20 V. c. 13—1856.

Candidates for admission as Surveyors after 1st January, 1858, to be examined in rudiments of Geology, and Director of Geological Survey to be a Member of Board of Examiners, s. 3.

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18 V. c. 108—1855.

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10, 11 V. c. 13—1847.

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14, 15 V. c. 89—1851.

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6 W. 4, c. 19—1836—181.

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10, 11 V. c. 21—1847.

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12 V. c. 37—1849.

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12 V. c. 38—1849.

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13, 14 V. c. 35—1850.

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14, 15 V. c. 95—1851.

Of fees of clerks of the peace, sessions and justices, how and by whom to be made, s. 26.

18 V. c. 98—1855.

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18 V. c. 106—1855.

To be prepared by superior court for hypothecary actions where proprietor unknown, s. 14.

TASCHEREAU, J. T., and others,

Bridge over river Etchemin, 58 G. 3, c. 20.

TAVERNS—TAVERN-KEEPERS,

Imp. Act 14 G. 3, c. 88.

Duty of £1 16s. sterling imposed for every license granted by the Governor, &c., for keeping a house or other place

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of public entertainment, or for the retailing of wine, brandy, rum, or other spirituous liquors, s. 5.

Penalty for such house or place retailing such liquors without license, *ib.*

One half of the penalty to go to the Crown and the other to the prosecutor, *ib.*

45 G. 3, c. 10—1805—65.

Penalty on persons selling spirits, &c., on Sunday, s. 1.

Not to prevent sale of spirits, &c., to sick persons, s. 2. *But see below 14, 15 V. c. 100, s. 12.*

Fines, how recovered and applied, s. 3. *But see, as to evidence, 7 G. 4, c. 3, s. 10.*

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47 G. 3, c. 9—1807—56.

Tavern-keepers, &c. to make return of persons in their houses when ordered by justice.—Penalty for refusal or neglect, s. 7.

57 G. 3, c. 16—1817—159.

Tavern-keepers, penalty on, for allowing gambling in their houses, s. 10.

2 V. (1) c. 2—1838—163.

Tavern-keepers, penalty on, for harbouring policemen while on duty, s. 5.

Persons tipping or gambling in taverns, how punished, s. 9. *And see 18 V. c. 100, s. 25.*

8 V. c. 72—1845.

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14, 15 V. c. 100—1851.

Licenses to, regulated.

13, 14 V. c. 27 and other inconsistent enactments repealed, but no repealed Act to revive in consequence, s. 1.

No person to sell spirits, &c. or keep an inn without license: licensed distillers excepted, s. 2.

Duties on different licenses, over and above those imposed by Imperial Act 14 G. 3, c. 88, s. 5.

License by whom to be issued, s. 4. *But see below 19, 20 V. c. 101, s. 12.*

Certificate, what required before granting license and how signed, s. 5. *But see below 16 V. c. 214, s. 2.*

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Bond—what to be given by person obtaining license; how executed and where filed, s. 8.

Penalty on persons selling spirits, &c. without license, and on persons purchasing from above, s. 9.

Inns, &c. what accommodation to be provided—penalty, s. 10.

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Tavern-keepers, &c. to keep orderly house—not to keep bars in more than one house, s. 12.

To whom may not sell—not to sell on a Sunday except to sick persons or travellers—penalty, *ib.*

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Certificate, when to be void and no license issued, s. 18.

Proof of offence, how may be made, s. 19.

Keepers of temperance hotels not to have any spirits, &c. or suffer them to be drunk on the premises—penalty, s. 20.

Inspectors to visit taverns, &c. at least once a year, s. 21.

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Penalty for drinking in such licensed shops, s. 25.

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Revenue inspectors,—penalty on persons resisting, s. 30.

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Certificate for license,—penalty on unqualified persons signing, s. 34.

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Innkeepers, &c., how and when liable in case of a person losing his life through intoxication; penalty, s. 37.

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Governor in council may increase duties in the county and city of Montreal in certain cases, s. 41.

Suits, &c., except under s. 37, how and when to be instituted; conviction, how enforced: proviso, s. 42.

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Penalty for tampering with witnesses, s. 47.

Revenue inspectors protected from vexatious suits, s. 48.

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All previous licenses under 13, 14 V. c. 27, held to have been legally granted, s. 50.

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Schedule of Forms of:—Affidavit—Certificate—Bond—Declaration—Summons—Conviction—Warrant of Distress—Warrant of Commitment.

16 V. c. 214—1853.

Provisions of 14, 15 V. c. 100, inconsistent with this Act, repealed, s. 1.

License not to be granted in cities of Quebec and Montreal unless certificate signed by 50 municipal electors of the ward, s. 2.

City councils to verify such signatures, s. 3.

City councils to require proof thereof, s. 4.

Ward to be stated in license and certificate, s. 5.

Judgments under 14, 15 V. c. 100, not to be removed by *certiorari*, s. 6.

18 V. c. 100—1855.

So much of 14, 15 V. c. 100, as is inconsistent with Municipal and Road Act, repealed, s. 5.

Par. 6, of sec. 23, (*sale of spirituous liquors, how regulated, is repealed by 19, 20 V. c. 101, s. 11, par. 4.*

19, 20 V. c. 101—1856.

County councils may prohibit, or restrict sale of spirituous liquors, s. 8, par. 1.

County councils to determine on what conditions license to be granted, *ib.*, par. 2.

County councils to fix sum payable therefor, *ib.*, par. 3.

County councils to regulate tavern-keepers, &c., for the prevention of drunkenness, *ib.*, par. 4.

Par. 6 of sec. 23, of 18 V. c. 11, repealed, s. 11, par. 4.

Local councils may prohibit sale of spirituous liquors in certain cases, *ib.*, par. 5.

Revenue inspectors not to grant licenses when sale prohibited: proviso, s. 12.

See also Gambling—Seamen, &c.

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TEACHERS, (COMMON SCHOOL),

27 G. 3, c. 6—1787—180.

School-masters exempt from serving as peace officers in Montreal and Quebec, s. 2.

9 V. c. 27—1846.

School commissioners not to be, s. 8.

To be engaged or removed by school commissioners, s. 21, par. 4.

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Diplomas how granted ; lists of, how kept ; what qualification required, *ib.*

Priests and females exempted from examination, *ib.* *But see below* 19, 20 V. c. 14, s. 6.

Need not be accepted by school commissioners though certified or exempt, *ib.*

12 V. c. 50—1849.

School-masters not to be secretary-treasurer of school commissioners or justice of the peace, s. 7.

Certain fees to be payable to, and not to form part of school fund, s. 21.

19, 20 V. c. 14—1856.

Female teachers, not belonging to any religious community, how and when to be examined, s. 6.

Fund for worn-out, how established ; grants therefrom on what conditions made, s. 7.

Council of public instruction to keep lists of, who have received diplomas or gone through normal school, s. 18, par. 6.

Council may revoke diplomas in certain cases ; charges against teachers how proceeded with, s. 19.

19, 20 V. c. 54—1856.

Diplomas when and by whom may be granted to students at normal school, s. 12.

And see Boards of Examiners—Diplomas—Normal Schools—Schools.

TEACHERS, DISTRICT OF QUEBEC,

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TELEGRAPHS, ELECTRO-MAGNETIC,

13, 14 V. c. 31—1850.

To protect from injury.

Malicious injury to, punishable by imprisonment not less than five nor more than thirty days, or by fine not exceeding £10, or by both, s. 1.

One justice of the peace to have jurisdiction, *ib.*

Penalties, how enforced and applied, *ib.*

16 V. c. 10—1852.

General incorporation of companies for constructing.

Associations, how formed, s. 1.

Certificate to be made and filed, and particulars which it must contain, s. 2.

Incorporation of the company, s. 3.

General corporate powers, s. 4.

Power to construct lines of telegraph, s. 5.

Malicious injury to any such line, to be a misdemeanor, and how punishable, s. 6.

Increase of capital, provision for, s. 7.

Debts of company not to exceed one half their capital, s. 8.

Existing companies may avail themselves of the Act, s. 9.

Duties of companies in transmitting despatches, s. 10.

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Preference to be given to messages of the Government, or those relating to the administration of justice, *ib.*

Operator divulging secrets, to be guilty of misdemeanor, and punishable by fine not exceeding £25, &c., s. 11.

Government may assume the works, temporarily, s. 12.

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4 V. c. 8—1841—391.

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14, 15 V. c. 100—1851.

Keepers of, not to have any spirits or suffer them to be drunk on the premises; penalty, s. 20. *And see Taverns.*

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12 V. c. 37—1849.

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Of court of Queen's bench, crown side, number of; exception as to Gaspé, Ottawa and Kamouraska, s. 31.

Of crown side, when and where to be held; how, when day appointed for commencing is a Sunday or holiday, s. 34.

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Of superior court in Gaspé to be held by circuit judges, s. 13. *But see below* 16 V. c. 194, s. 16.

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16 V. c. 194—1853.

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19, 20 V. c. 55—1856.

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4, 5 V. c. 25—1841.

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ble crimes, felony, s. 8.

Demanding money, &c., by menaces, or by force, with in-
tent to steal, felony, s. 11.

Sending threatening letters, &c., to extort money, &c., fe-
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putting any person in bodily fear, felony, s. 17.

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10, 11 G. 4, c. 17—1830—129.

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4, 5 V. c. 26—1841.

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9 G. 4, c. 28—1829—136.

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16 V. c. 194—1853.

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19, 20 V. c. 101—1856.

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18 V. c. 100—1855.

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19, 20 V. c. 101—1856.

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24 G. 3, c. 1—1784—118.

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41 G. 3, c. 9—1801—84.

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14, 15 V. c. 96—1851.

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TREASON, PETIT,

4, 5 V. c. 27,—1841.

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4, 5 V. c. 25—1841.

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4, 5 V. c. 26—1841.

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Malicious injury elsewhere, damage exceeding £1, misdemeanor, *ib.*

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13, 14 V. c. 40—1850.

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18 V. c. 100—1855.

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24 G. 3, c. 1—1784—118.

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35 G. 3, c. 1—1795—110.

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25 G. 3, c. 2—1785—85.

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32 G. 3, c. 2—1792—100.

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9 G. 4, c. 10—1829—143.

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4, 5 V. c. 26—1841.

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41 G. 4, c. 7—1801—112.

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48 G. 3, c. 22—1808—116.

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9 G. 4, c. 20—1829—191.

Duty and liability of, with respect to filing oppositions to ratifications of title, s. 7.

2 W. 4, c. 34—1832—568.

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4 V. c. 30—1841—195.

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8 V. c. 42—1845.

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12 V. c. 38—1849.

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14, 15 V. c. 58—1851.

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16 V. c. 91—1853.

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18 V. c. 3—1854.

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Report of proceedings to be made to judge for homologation. *And see Av.s de Parens.*

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U N C

UNCLAIMED GOODS,

2 W. 4, c. 32—1832—70.

In the hands of wharfingers and others.

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12 V. c. 132—1849.

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16 V. c. 194—1853.

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18 V. c. 100—1855.

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17 G. 3, c. 3—1777—312.

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12 V. c. 22—1849.

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16 V. c. 80—1853.

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24 G. 3, c. 1—1784—118.

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12 V. c. 38—1849.

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14, 15 V. c. 90—1851.

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16 V. c. 194—1853.

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12 V. c. 50—1849.

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18 V. c. 100—1855.

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19, 20 V. c. 101—1856.

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19, 20 V. c. 101—1856.

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12 V. c. 22—1849.

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12 V. c. 38—1849.

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18 V. c. 92—1855.

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4, 5 V. c. 25—1841.

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Stealing, &c., any vegetable production growing in any land not being a garden, &c., how punishable, s. 35.

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14, 15 V. c. 54—1851.

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12 V. c. 38—1849.

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14, 15 V. c. 89—1851.

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4, 5 V. c. 25—1841.

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12 V. c. 38—1849.

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VICTORIA BRIDGE AT MONTREAL,

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36 G. 3, c. 10—1796—661.

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Voyageurs, &c., not carrying out agreement, or deserting, how punishable, ss. 2, 3.

Stealing during such voyage may be indicted in any district where they may have stolen goods in his custody, s. 4.

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W A G

WAGES,

4, 5 V. c. 27—1841.

Assault on any person in pursuance of any conspiracy to raise wages, how punishable, s. 25.

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WAGES OF SERVANTS,

4 V. c. 30—1841—195.

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7 V. c. 19—1843.

Minors above 14 years, may sue for, in commissioners' courts, up to £6 5s., s. 5.

12 V. c. 38—1849.

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12 V. c. 55—1849.

What to be paid on discharging servants, without the cities of Montreal, Quebec and Three-Rivers, s. 4.

Penalty on master for not paying, s. 5.

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18 V. c. 99—1855.

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18 V. c. 100—1855.

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19, 20 V. c. 101—1856.

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WAREHOUSE,

4, 5 V. c. 25—1841.

Breaking, entering and stealing therein, how punishable, s. 20.

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12 V. c. 12—1849.

Any warehouseman, forwarder, carrier, agent or clerk, giving false receipt with intent to deceive or defraud, to be guilty of misdemeanor, s. 1. *See also Consignee—Unclaimed Goods.*

WAREHOUSING, *See Customs.*WARNING, *See Masters and Servants.*

WARRANT,

24 G. 3, c. 1—1784—118.

Penalty on gaolers, &c., refusing to give copy of warrant of commitment within six hours, when required, s. 5.

14, 15 V. c. 95—1851.

When and how may be issued by justices in summary matters, s. 2.

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How executed in another district, *ib.*

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Of distress, may be issued after appeal dismissed, s. 23.

Of distress, not to be executed by constable after tender of amount and costs, s. 24.

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14, 15 V. c. 96—1851.

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How issued after indictment found; how if party in gaol, s. 2.

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Form of, how executed, how if defect in form, s. 6.

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Of deliverance to release party committed, on bail; form, s. 16.

Of commitment; form, s. 17.

18 V. c. 97—1855.

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19, 20 V. c. 101—1856.

Of execution when may be issued by mayor on default to pay assessments, s. 25, par. 4. *And see Commitment—Distress—Justices—Seamen—Search warrant, &c.*

WARRANTY,

4 V. c. 30—1841—195.

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2 V. (3) c. 48—1839—147.

By any person of property under seizure, how punished, s. 1.

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WATER COURSES,

13, 14 V. c. 40—1850.

How and when to be cleansed—penalty, s. 20.

Bridges over by whom to be kept in repair, s. 23.

WATER COURSES,

Duty of road surveyor respecting, &c. how to be made and kept up, ss. 26, 42. (*As to sections 31, 39 and 40, see 16 V. c. 210, ss. 2, 4.*)

16 V. c. 210—1853.

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18 V. c. 100—1855.

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19, 20 V. c. 104—1856.

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Proprietors or lessees to be liable for all damage resulting therefrom, s. 2.

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2 V. (3) c. 28—1839—146.

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16 V. c. 165—1853.

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13, 14 V. c. 40—1850.

What, how and when occupiers of land may be required to cut down; penalty, s. 43.

Unlawful to allow seeds of, to scatter to prejudice of any one, s. 44.

Surveyors and overseers of roads to cause to be destroyed on highways, &c., and when;—penalty, s. 45.

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34 G. 3, c. 6—1794—101.

Of justices in Quebec, Montreal and Three-Rivers, how to be held, s. 34. *And see Quarter Sessions.*

WEIGHING MACHINE,

4, 5 V. c. 26—1841.

Destroying any erected for collection of tolls at turnpike gate, misdemeanor, s. 14.

WEIGHTS AND MEASURES,

39 G. 3, c. 7—1799—306.

Two sets of standard scales, weights and measures to be delivered to persons to be appointed by Governor in districts of Quebec and Montreal, and one set in district of Three-Rivers, s. 1.

Persons so appointed to take oath and give security, *ib.*
But see below 12 V. c. 54.

Clerk of Assembly of Lower Canada to keep residue of scales, weights and measures, s. 2. *And see below* 12 V. c. 54, s. 2.

To take oath and keep them under lock, *ib.*

Certificate of oath where to be deposited, *ib.*

Section 3 is *repealed by* 12 V. c. 54, s. 1.

Penalty for counterfeiting stamp on, or altering any scale, weight or measure, or using such, s. 4. *And see below* 12 V. c. 54, s. 6.

All beams, weights and measures used to be registered, s. 5.
 Standard weights and measures established and when to be used, s. 6.

Clerks of markets to weigh and measure articles there sold; how paid for the same, s. 7. *As to Montreal and Quebec see Acts incorporating those cities.*

Section 8 is *repealed by* 12 V. c. 54, s. 1.

Prosecutions to be commenced within 3 months, s. 9.

12 V. c. 54—1849.

Sections 3 and 8, of 39 G. 3, c. 7, and such portions as authorize other persons than revenue inspectors to adjust beams, weight and measures, *repealed*, s. 1.

Standard to be kept by clerk of Legislative Assembly; if any wanting, others may be imported, s. 2.

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Revenue inspectors, their duties under this act, ss. 4, 5.

Inspectors may enter shops and seize false weights, &c., s. 6.

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Penalty on inspectors marking weights, &c., without examination, s. 7.

Fee for examination and marking, s. 8.

Notice, what to be given by inspector, s. 9.

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9 G. 4, c. 76—1829—628.

Licensed ministers to keep registers of baptisms, marriages and Burials; licenses how and when to be issued, ss. 1, 2, 3.

Registers where to be deposited, s. 4.

Minister on removal entitled to new register without further petition,—registers to be valid—35 G. 3, c. 4, being observed, ss. 5, 6, 7. — *And see* Registers.

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WESLEYAN METHODIST CHURCH,

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WESLEYAN METHODIST MINISTERS,

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WESTERN ASSURANCE COMPANY,

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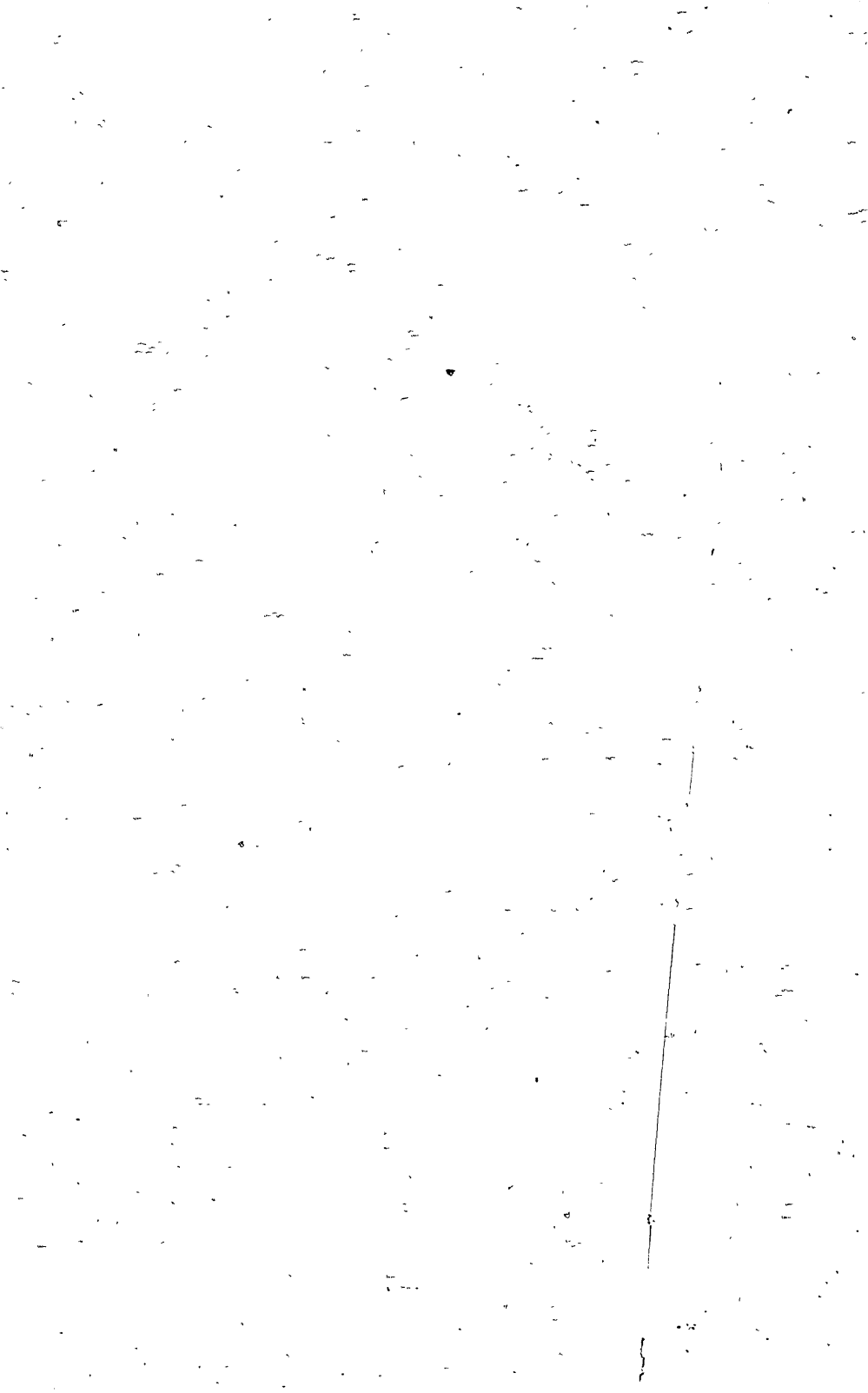
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 wardens --- Clergymen --- Congregations (religious) --- Copyright
 --- Corporations,
 Dams --- Disinterments,
 Fabrique Schools --- Ferries --- Fire --- Firemen --- Foundlings,
 Game and Hunting --- Gunpowder,
 Hawkers and Pedlers --- Horticultural Societies --- Hospitals,
 Indians --- Interments --- Inventions (patents),
 Latitude and Longitude (points of) --- Letters Patent (lands) ---
 Libraries --- Liquors, Spirituous, (sale near public works) ---
 Lunatic Asylums,
 Macadamized Roads --- Marriages --- Masters and Servants --- Medical
 Profession --- Mortmain,
 Parishes --- Public Worship,
 Railways --- Rectories --- Registers of Births, Marriages, &c. --- Regis-
 tration of Deeds, &c. --- Religious Communities (holding lands)
 --- Royal Institution,
 Seed-Grain (loans for procuring) --- Seigniorial Tenure --- Small Pox
 --- Squatters --- Surveyors and Surveys,
 Taverns --- Teachers,
 Voyageurs, ████
 Wolves, destruction of.

LOCAL ACTS.

Administration of Justice.

Aylmer, New Gaol and Court House,
 Chicoutimi,
 Gaspé,
 Kamouraska,
 Lotbinière,
 Magdalen Islands---Missisquoi County---Montreal---Montreal and
 Aylmer---Montreal City,
 Ottawa,
 Quebec,
 St. Francis---St. Hyacinthe,
 Three Rivers,
 Upton.

Harbours, Rivers, &c.

Montreal,
 Rivière du Chene,
 St. Louis Rapids.

Roads and Bridges.

Granby and St. Johns,
 Jacques Cartier, Bridge over,
 Longueuil and Chambly,
 Montreal to Côte St. Michel---Montreal Turnpike Roads,
 Quebec Turnpike Roads,
 Temiscouata Portage.

Commons, Regulation or Division of.

Boucherville,
 Grosbois,
 La Baie du Febvre---Laprairie---Longueuil,
 Maskinongé,
 Rivière du Loup,
 Ste. Anne de la Perade---St. Antoine de la Baie---St. François du
 Lac,
 Three Rivers,
 Varennes,
 Yamaska.

Municipalities—Special Provisions respecting.

Note.—Many of the Acts referred to under the Titles in this and the three following Classes, are or may be under certain circumstances, affected by the general Municipal Acts, the Act for providing a Registration Office in every County, or the Representation Act, though they may still be in force for certain purposes or as affecting rights still to be exercised.

Ascot---Chicoutimi, (New Municipality in,)
 Drummond, (County divided,)
 Hatley and Bolton,
 Lake St. John, (Municipality,)
 Madawaska---Mont Carmel---Montmorenci---Montreal,

Orford--Orleans,
 Quebec,
 Rimouski,
 Saguenay--St. Alphonse--Ste. Anne des Monts--St. Antoine de
 l'Isle aux Grues--St. Ephrem d'Upton--St. Hugues--St. Hyacinthe--
 St. Jerome--St. Julienne de Rawdon--St. Norbert--
 St. Roch--Sherbrooke,
 Three Rivers.
 Upton.

Surveys and Boundaries of Local Divisions altered, &c.

Bellingham (Township)--Berthier County divided--Bizarre Island,
 Chatham--Cleveland (Township)--Compton County,
 Elgin Township,
 Montreal and Quebec (boundaries),
 Shipton,

Various Local Matters.

Argenteuil (erection of Parishes in),
 Bellechasse (Registry Office removed),
 Closse Fief (Seigniorial tenure),
 Dorchester (2nd Registry Office)--Dundee--Durham (Indian
 Lands),
 Hatley, claims against--Huntingdon County divided into two
 Registration Districts,
 Labrador Fisheries--Lagauchetière Seigniorie--L'Islet (wild fowl)
 L'Islet (Registration)--Lotbinière, relief of, &c.,
 Megantic (Registration)--Montmorenci (Registration)--Montreal
 (Registration, Fire, Gunpowder, &c.) Montreal and Quebec
 (origin of fires, separate Registers for certain churches, &c.,)
 Nazareth Fief (Seigniorial tenure)--Nicolet (Registration),
 Orleans (Registration),
 Quebec, (divers matters.)
 Rimouski (Registration),
 Saguenay (Registration, Fishing)--St. Augustin Fief (Seigniorial
 tenure)--St. Christophe d'Arthabaska (School assessment)--
 St. David d'Yamaska (schools)--St. Joseph Fief (Seigniorial
 tenure)--St. Sylvestre (Registration)--Sherbrooke (Registration,
)
 Three-Rivers (Registration),
 Yamaska (Registration),

PRIVATE OR PERSONAL ACTS,

Attainder reversed.

Grace, O.,
 Matthews, P.--Montgomery, J.,
 Stevens, A.

Admission to practise the Law.

Stuart, C. J.

Banks.

Bank of Montreal---Bank of Niagara District---Bank of Toronto---
 Bank of Upper Canada---Banque des Marchands---Banque du
 Peuple,
 City Bank---Colonial Bank of Canada---Commercial Bank,
 District Bank, Quebec,
 Eastern Townships' Bank,
 Gore Bank,
 Molsons Bank---Montreal Savings' Bank,
 Niagara District Bank,
 Quebec Bank---Quebec Provident and Savings' Bank.
 St. Francis Bank,
 Union Bank of Canada,
 Zimmerman Bank.

Bridges.

Allsopp---Archambault,
 Bourgault,
 Casgrain---Cloutier,
 Daigle and Dufresne---Davidson, W.---DeLéry---Delisle---Dene-
 chand and Fraser---Denonville---Dubord---Dufour---Dumont,
 Frechette,
 Glen---Gosselin,
 Hall---Huot and, Jacob,
 Jones,
 Lachappelle---Lachappelle and Quenneville---La Gorce--Lague---
 Leprohon and Berthelot,
 Mackenzie---Morin, A. N.---Morin, J.,
 Phillips---Porteous---Primeau and Trottier,
 Quebec Bridge Company,
 Roy, J.,
 St. Anselme Bridge Company---St. Monique Bridge Company,
 Taschereau,
 Verrault---Victoria---Vieau and others---Viger,
 Yule.

Canals and Navigation Companies.

Megantic Junction,
 Quebec and Trois Pistoles,
 St. Lawrence and Champlain.

Cemeteries.

Mount Hermon---Mount Royal.

Charitable and Benevolent Associations.

Association St. Jean Baptiste---Asylum of the Good Shepherd,
 Benevolent Society of N. D. de Bonsecours---British American
 Friendly,
 Canada Baptist Missionary---Canada Military Asylum---Charitable
 Association of R. C. Ladies of Quebec---Clercs Paroissiaux---
 Communauté des Filles de la Charité---des Révérendes
 Sœurs de la Charité---des Sœurs des Saints Noms---des Sœurs
 de Ste. Croix---Community of Nuns of Genl. Hosp. Quebec.

Dames Religieuses du Bon Pasteur---Dames R du Sacré Cœur---
 Dames R des Saints Noms---Directors of St. Patrick's Orphan
 Asylum,
 Evangelical Society of la Grande Ligne,
 Female Penitent Institution,
 Grand &c., Divisions, Sons of Temperance---Grey Nuns,
 Hospice de la Maternité,
 Ladies Benevolent Society---Ladies &c., Montreal Lying-in Hos-
 pital---Ladies of R. C. Orphan Asylum---Ladies of the Pro-
 testant Orphan Asylum,
 Managers of Widows &c., fund, Presbyterian Church---Montreal
 Asylum for aged women---Montreal Dispensary---Montreal
 Firemen's Benevolent,
 Pères Oblats,
 Quebec Benevolent Society---Quebec Charitable Firewood---
 Quebec Friendly---Quebec Workmen's Benevolent,
 Roman Catholic Orphan Asylum,
 St. George's Society---St. Patrick's Orphan Asylum---St. Patrick's
 Society---Sisters of Charity---Société St. Jean Baptiste---
 Society of Charitable Ladies of St. Etienne de la Malbaie---
 Sœurs de la Charité---Sœurs de la Présentation---Sœurs de
 Miséricorde---Sœurs Hospitalières,
 Union of St. Joseph---University Lying-in Hospital---Ursuline
 Nuns,
 Victoria Hospital.

Commercial and Trading Companies.

Gaspé Fishery and Coal Mines,
 Montreal Ocean Steamship---Public Bakery,
 Quebec Forwarding---Quebec Warehousing.

Divorce.

Beresford, W. H.

Educational Institutions.

Abbotsford Academy---Académie Industrielle de St. Laurent---
 Aylmer Academy,
 Berthier Academy---Bishop's College---British and Canadian
 School Society,
 Chambly College---Clercs Paroissian---College Masson---College of
 l'Assomption---College de Monnoir,
 Directors, &c., Berthier Academy,
 Education Society, Quebec,
 High School, Montreal---High School, Quebec---Huntingdon, Aca-
 demy,
 Lachute College,
 McGill College---Montreal School of Medicine,
 Quebec School of Medicine,
 St. Anne's College---St. Francis College---St. John's Academy---
 St. Lawrence School of Medicine---St. Mary's College---
 Seminary of Quebec---Seminary of St. Hyacinthe.

Gas and Water Companies.

Montreal Gas,
 New City Gas,
 Quebec Gas.

Harbour Companies.

Cap Rouge Pier, Wharf and Dock,

Incorporated Companies for divers purposes.

Association, Montreal Exchange,
 Canada Ocean Steam Navigation---Canadian Steam Navigation---
 City of Quebec Hotel---Corporation of Pilots,
 Montreal Building Society---Montreal Exchange,
 Quebec Exchange---Quebec Masonic Hall---Quebec Music Hall---
 Quebec Temperance Hall.

Insurance Companies.

British America Fire and Life,
 Canada Fire---Canada Inland---Canada Life---Canada Marine,
 Erie and Ontario,
 Imperial Fire, Marine and Life,
 Marine Mutual of Montreal---Montreal Fire, Life and Inland---
 Montreal Fire Insurance of Montreal (winding up act)---
 Mutual Assurance of Fabriques,
 Ontario Marine and Fire,
 Provident Life---Provincial Mutual and General,
 Quebec Fire,
 St. Lawrence Assurance,

Literary and Scientific Institutions.

Advocates' Library, Quebec and Montreal,
 Institut Canadien de Montréal---Institut Canadien de Québec,
 Library Association of Teachers---Literary and Historical Society,
 Mechanics' Institute, Montreal---Mercantile Library,
 Natural History Society,
 Québec Library---Quebec Library Association,
 Roman Catholic Institute Quebec,
 St. Roch's Reading Room,

Loan Companies.

Canada Guarantee---Canadian Loan---Canadian Loan and Invest-
 ment,
 North American Colonial,
 Upper Canada Trust and Loan,
 Vattermare's Institute,

Manufacturing Companies.

Chambly Cotton,
 Kingsey Slate Company,
 Montreal Locomotive,
 St. Maurice Ironworks,
 Sherbrooke Cotton---Shipton Slate Works,

Mill Dams.

Yule, on River Richelieu.

Mining Companies.

British and Canadian---British N. American,
Canada and Liverpool---Canada Copper---Canada Mining---Canada Ore dressing.

Echo Lake,
Garden River,
Huron and St. Mary's---Huron Copper Bay---Huron Mining,
International Mining,
Lake Huron Silver and Copper,
Megantic Mining---Montreal Mining,
Neepigon,
Philadelphia and Huron,
Quebec and Lake Superior---Quebec and St. Francis,
St. Lawrence---Sault St. Mary,
Upper Canada.

Naturalization of divers Persons.

Falkenberg, A.
Gould, I.---and others---Killam H.,
Lyman, L.
Morgan, C.---and others,
Rambau, A.
Sharts, Revd. W.
Tailhades,
Vallotte,
Waterous,

Pensions and Grants.

Leggo, Grant to,
Vallières, Widow,

Railway Companies.

Canada, New Brunswick and Nova Scotia---Carillon and Grenville
---Company of proprietors Champlain and St. Lawrence.
Grand Trunk---Grand Trunk of Canada East,
Industry Village and Rawdon,
Lake Huron, Ottawa and Quebec---Lake St. Louis and Province line---L'Assomption River and Railway,
Megantic Junction---Montreal and Bytown---Montreal and Lachine
---Montreal and New York---Montreal and Vermont---Montreal
Railway Bridge,
North Shore,
Quebec and Richmond---Quebec and Saguenay---Quebec and St. Andrews---Quebec, Chaudière, Maine and Portland.
St. Lawrence and Atlantic---St. Lawrence and Champlain---St. Lawrence and Industry Village---St. Lawrence and Ottawa---Sherbrooke and Richelieu---Sorel, Drummondville and Richmond---Stanstead, Shefford and Chambly,
Vandreuil---Victoria Bridge.

Religious Bodies.

Associate Presbyterian Synods,
Baptists---Bishop of Montreal,

Calvinist Baptists--Canada Baptist Missionary--Christian Unitarians--Church Societies--Church of England--Church of Scotland--Congregational Societies--Congregation de N. D. de Québec--des hommes de Ville Marie--of Catholics of Quebec speaking English--Connexional Society, Wesleyan Methodists--Corresponding Committee of Colonial Church and School Society,
 Ecclesiastical Society of St. Michel--Evangelical Association--Evangelical Lutheran,
 Free-Will Baptists,
 German Evangelical Church,
 Jews,
 Menonists, Tunkers, &c.--Methodist New Connexion--Methodist Protestants--Minister and Trustees of St. Andrew's Church,
 Presbyterians--Protestants,
 Quakers,
 Roman Catholic Archbishop and Bishops, &c., incorporated,
 St. Andrew's Church, Montreal--St. Andrew's Church, Quebec--St. John's Church, Quebec--St. Patrick's Church, Quebec--Secession Church of Scotland--Second Advent Conference--Sœurs de la Congregation,
 Universalist Societies--United Presbyterian-Synod--Ursuline Nuns.
 Wesleyan Methodists.

Road Companies.

Huntingdon Plank Road.

Telegraph Companies.

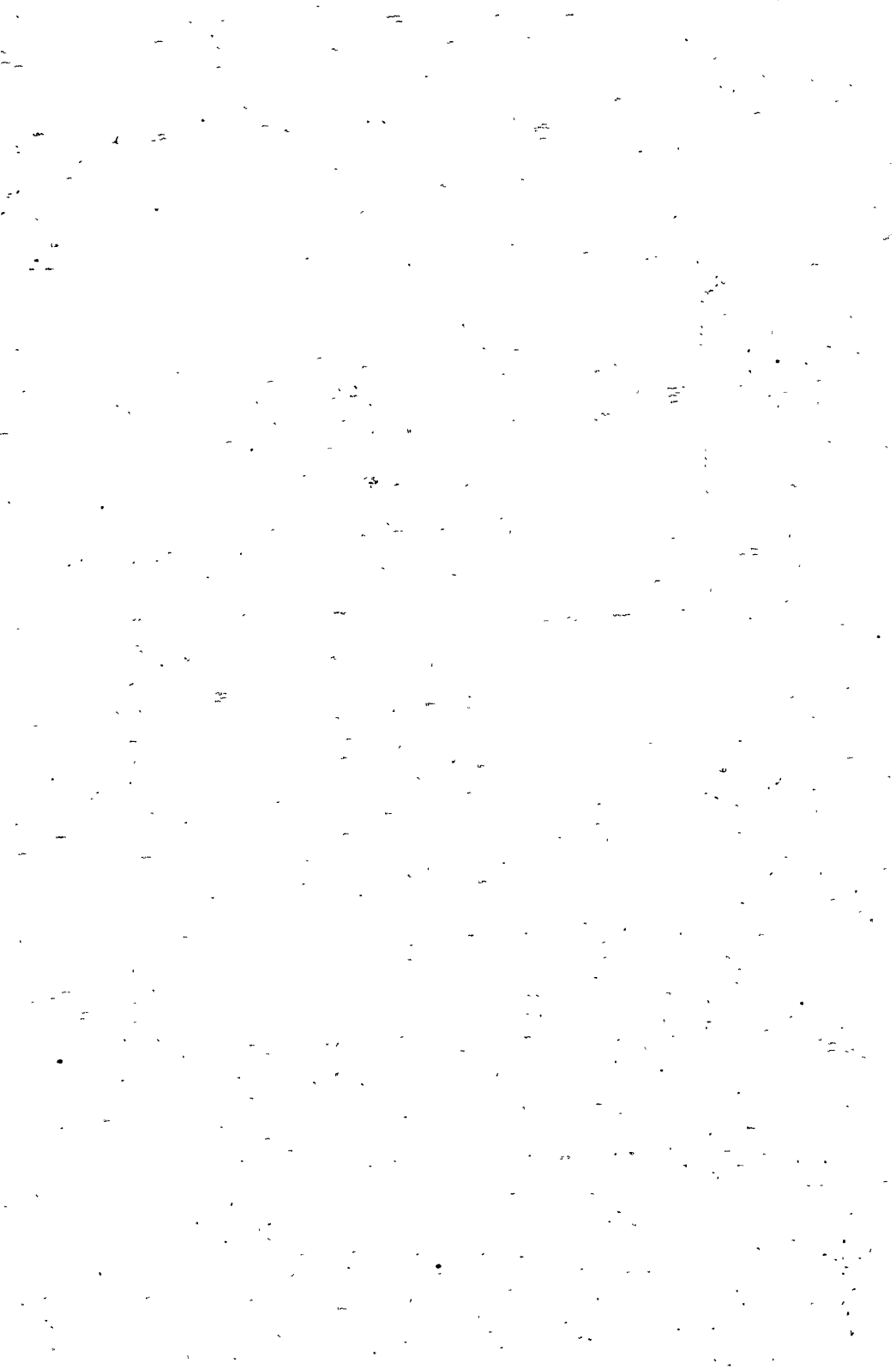
British N. A. Electric Telegraph---By-town and Montreal.
 Montreal and Troy---Montreal,
 New York, Newfoundland and London,
 Weller---Western.

Titles and Trusts (power to hold or to convey Property.)

Bishop of Montreal,
 Fraser, W. and E.
 Grey Nuns,
 McIsaac, Revd.
 Wesleyan Methodist Church,
 Zion Church.

Various matters of Personal Interest.

British American Land Company,
 City and District Savings Bank, Montreal--Comte Louis--Counter,
 J. Patent for Stoves,
 De Gaspé, P. A.--relief of,
 Horticultural Society, Montreal,
 Lyon, G. B.--name changed,
 McWattie, Revd. A.--Marriages by, confirmed,
 Montreal Savings Bank,
 Roche, J. relief of,
 St. Sulpice Seminary.



S U P P L E M E N T .

SECOND PART.

Provincial Acts and Ordinances which have been in force in Lower Canada, but which are not referred to in the foregoing Index because they are repealed, or have expired, or are supposed to be effete by the accomplishment of the objects for which they were passed, &c. See Notice prefixed to the Work.

- Abandon des Animaux, 30 G. 3, c. 4.
Acts, translation of, 4, 5 V. c. 11.
Acts, printing and distribution of, 4 G. 4, c. 38—5 G. 4, c. 8.
Acts, publication of, 17 G. 3, c. 6.
Acts, distribution of, 43 G. 3, (2) c. 4—5 G. 4, c. 5—6 G. 4, c. 22—
9 G. 4, c. 21—2 W. 4, c. 33—2 W. 4, c. 56—2 V. (3) c. 63.
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23—6 V. c. 11—8 V. c. 26—9 V. c. 39—10, 11 V. c. 8—11 V.
c. 3—12 V. c. 17—13, 14 V. c. 10—14, 15 V. c. 68—16 V. c.
151—18 V. c. 85.
 Made permanent, 3, 4 V. c. 6.
Administration of Justice, generally, 52, G. 3, c. 11—57 G. 3, c. 30—
17 G. 3, cc. 1, 2, 5—25 G. 3, c. 5—28 G. 3, c. 7—30 G. 3, c. 5—
32 G. 3, c. 1—32 G. 3, c. 3—48 G. 3, c. 7—55 G. 3, c. 18—
3, 4 V. c. 43—3, 4 V. c. 45—4 V. c. 1, 2—4 V. c. 19—4, 5 V.
c. 20—7 V. c. 16—9 V. c. 29.
Advocates, Attornies, Notaries, &c., 25 G. 3, c. 4—27 G. 3, c. 11—
55 G. 3, c. 13—57 G. 3, c. 27—6 G. 4, c. 6—6 W. 4, c. 10.
Agriculture, remedy of abuses prejudicial to, 30 G. 3, c. 4—4 G. 4,
c. 33—6 G. 4, c. 9—9 G. 4, c. 37—10, 11 G. 4, c. 1—3 W. 4,
c. 31—6 W. 4, c. 56.
Agricultural produce, duties on, 7 V. c. 1, 2—8 V. c. 1.
Agricultural Societies, 58 G. 3, c. 6—1 G. 4, c. 5—9 G. 4, c. 48—
1 W. 4, c. 29—4 W. 4, c. 7—8 V. c. 53—9 V. c. 14—9 V. c.
24—10, 11 V. c. 60—13, 14 V. c. 45—13, 14 V. c. 46—14, 15
V. c. 104.
Agriculture, encouragement of, 3 G. 4, c. 24—5 G. 4, c. 13—6 G. 4,
c. 31—10, 11 G. 4, c. 25—2 W. 4, c. 35—1 V. c. 18—4 V. c. 9.
Aliens, naturalization of, 8 V. c. 107.
Aliens, Sedition, &c., 34 G. 3, c. 5—43 G. 3, (2) c. 2—47 G. 3, c. 11—
48 G. 3, c. 1—51 G. 3, c. 3—57 G. 3, c. 20—2 V. (3) cc. 18, 44—
4 V. c. 12.
Allsopp R. Bridge over River Jacques Cartier, 3 G. 4, c. 34.
Anticosti, light-houses on, 10, 11 G. 4, c. 13—1 W. 4, c. 12.
Appeals, Court of, 7 V. c. 18—19, 20 V. c. 1 (Extra Term in 1856.)
Apple trees, preservation of, 45 G. 3, c. 15.

- Army bills, 52 G. 3, (2) c. 1—53 G. 3, c. 3—54 G. 3, c. 3—57 G. 3, c. 7.
 Ashes, inspection of, 35 G. 3, c. 2—2 G. 4, c. 9—4 G. 4, c. 11—9 G. 4, c. 36—2 W. 4, c. 10—2 V. (3) c. 22—6 V. c. 6.
 Assembly, certain judges disqualified as members, 51 G. 3, c. 4.
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 Assembly, resignation of Members, 1 W. 4, c. 42.
 Assembly, Members-accepting office, 4 W. 4, c. 32.
 Assessors, number of, increased in Quebec and Montreal, 9 G. 4, c. 16.
 Assistant judges, 58 G. 3, c. 12—2 V. (2) c. 13—2 V. (3) c. 2—3, 4 V. c. 24.
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 Attachment of effects of debtors under, £10—14, 15 V. c. 18.
 Auctions, duty on, 55 G. 3, c. 3.

 Baldwin and Quesnel, duties returned to, 7 G. 4, c. 18.
 Bank of Montreal, 1 G. 4, c. 25—10, 11 G. 4, c. 6—1 V. c. 14—3, 4 V. c. 40—4, 5 V. c. 98—7 V. c. 46—10, 11 V. c. 115—12 V. c. 184—16 V. c. 55—18 V. c. 38.
 Bank of Upper Canada, 4, 5 V. c. 95—6 V. c. 27—9 V. c. 86—13, 14, V. c. 137—18 V. c. 39.
 Bank of B. N. America, 1 V. c. 25.
 Bank of Canada, 1 G. 4, c. 27.
 Banks, specie payment, suspension of, 1 V. c. 24—2 V. (2) c. 1.
 Banking and bankers, 10, 11 G. 4, c. 5—2 V. (3) c. 57.
 Bankrupts, 2 V. (3) c. 36.
 Bedard, J. B. exclusive privilege granted to, 47 G. 3, c. 15.
 Beef and Pork, inspection of, 44, G. 3, c. 9—3 G. 4, c. 8—4 G. 4, c. 22—2 V. (3) c. 15.
 Bills of exchange, damages on protested, 6 G. 4, c. 4—9 G. 4, c. 1.
 Billiard tables, &c., duties on, 53 G. 3, c. 1.
 Board of Works, 2 V. (3) c. 64—3, 4 V. c. 38.
 Bouc, Charles, disqualified to sit in assembly, 42, G. 3, c. 7.
 Bouchette, J., aids to, 55 G. 3, c. 19—9 G. 4, c. 68—2 W. 4, c. 52.
 Bread, assize of, 55 G. 3, c. 5—57 G. 3, c. 9.

- Cahots, experiments concerning, 9 G. 4, c. 71.
 Canada Marine Insurance Company, 2 V. (3) c. 6.
 Capias ad Satisfaciendum, 8 V. c. 17, *superseded by* 12 V. c. 42?
 Cap Rouge River, Bridge over, 4 V. c. 21.
 Castle of St. Lewis at Quebec, and Government House, Montreal, 48 G. 3, c. 34—52 G. 3, c. 13—1 W. 4, c. 37—2 W. 4, c. 18—4 V. c. 25.
 Census, 5 G. 4, c. 7—1 W. 4, c. 1—2 W. 4, c. 38—6 W. 4, c. 40—4, 5 V. c. 42—7 V. c. 24.
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CHARITABLE INSTITUTIONS AND PURPOSES—APPROPRIATIONS FOR, VIZ:

- Charitable Institutions, divers, aids to, 48 G. 3, c. 30—54 G. 3, c. 11—38 G. 3, c. 7—3 G. 4, c. 26—5 G. 4, c. 12—6 G. 4, cc. 12 and 20—10, 11 G. 4, c. 46—2 W. 4, cc. 20, 34 and 43—3 W. 4, cc. 17 and 23—4 W. 4, cc. 16 and 17—6 W. 4, cc. 29 and 31—1 V. c. 17—2 V. (3) c. 42—3, 4 V. c. 22—4 V. c. 9.

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- Insane and Foundlings, 41 G. 3, c. 6—44 G. 3, c. 4—48 G. 3, c. 11—49 G. 3, c. 3—51 G. 3, c. 15—52 G. 3, c. 18—53 G. 3, c. 7—54 G. 3, c. 10—55 G. 3, c. 14—57 G. 3, c. 4—58 G. 3, c. 13—1 G. 4, c. 18—2 G. 4, c. 12—3 G. 4, c. 25—9 G. 4, c. 59.
- Indigent sick, &c., 52 G. 3, c. 19—4 G. 4, c. 28—9 G. 4, c. 54—10, 11 G. 4, c. 35—1 W. 4, c. 18.
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- Chaudière River, Bridge over, 10, 11 G. 4, c. 41—1 W. 4, c. 47—2 W. 4, c. 57.
- Chevrefils, relief of, 42 G. 3, (2) c. 3.
- Churches, good order in, 1 G. 4, c. 1—4 G. 4, c. 35.
- City Bank, 3 W. 4, c. 32.
- Clerks of the Peace (unclaimed goods), 4 G. 4, c. 21.
- Coals measure of, 2 G. 4, c. 11—4 G. 4, c. 37.
- Commercial Band Midland District, 6 V. c. 26—9 V. c. 87—12 V. c. 170—18 V. c. 42.
- Commissioner of Inferior term at Montreal, 4 V. c. 26.
- Commissioners Courts, 4, 5 V. c. 20.
- Copper Coin, importation of, 2 V. (3) c. 5—3, 4 V. c. 8.
- Copy Rights, 2 W. 4, c. 53.
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- Court houses at Three Rivers, 1 G. 4, c. 14.
- Court houses and Gaols in Gaspé, 54 G. 3, c. 9—1 G. 4, c. 20—7 G. 4, c. 15.
- Court houses and Gaols in Counties, 2 W. 4, c. 66—4 W. 4, c. 8—3, 4 V. c. 14.
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- Criminal term at Montreal, 10, 11 G. 4, c. 16—2 V. (3) c. 1.
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- Currency, 17 G. 3, c. 9—36 G. 3, c. 5—48 G. 3, c. 8—59 G. 3, c. 1—10, 11 G. 4, c. 5—2 V. (3) c. 46—4, 5 V. c. 93—13, 14 V. c. 8—13, 14 V. c. 9—14, 15 V. c. 47—14, 15 V. c. 48.
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- Custom house, Montreal, 4 W. 4, c. 13—6 W. 4, c. 11.
- Deaf and Dumb, instruction of, 2 W. 4, c. 20.
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- Debtors imprisoned under *ca. sa.* may obtain limits of District, 6 W. 4, c. 4. *And see Attachment—Capias.*
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East India Company, bond for duties cancelled, 1 W. 4, c. 43.

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