



CHAPTER 9

An Act respecting the judicial district of Gaspé

[Assented to, the 28th of April, 1939]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. Section 4 of the Territorial Division Act (Revised Statutes, 1925, chapter 2), is amended by replacing the word: "twenty-five", in the second line of paragraph 3 thereof by the word: "twenty-six". R.S., c. 2, s. 4, § 3, am.

2. Section 14 of the said Territorial Division Act, as amended by the acts 18 George V, chapter 10, and 20 George V, chapter 15, is again amended:

a. By replacing the word: "twenty-five", in the first line thereof, by the word: "twenty-six";

b. By adding thereto, after paragraph No. 5 of the Table of the Judicial Districts, the following paragraph:

"5a	Bonaventure	The electoral district of Bonaventure.	New Carlisle"
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c. By replacing paragraph No. 7 of the Table of the Judicial Districts, as amended by the act 20 George V, chapter 15, section 30, by the following paragraph:

"7	Gaspé.	The electoral district of Gaspé-North, the electoral district of Gaspé-South and the electoral district of the Magdalen Islands (<i>Iles-de-la-Madeleine</i>).	Percé"
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R.S., c. 145,
s. 27, am.

3. Section 27 of the Courts of Justice Act (Revised Statutes, 1925, chapter 145), as amended by the act 23 George V, chapter 64, section 2, is again amended by replacing the words: "district of Gaspé", in the third and fourth lines of sub-paragraph 2 of the first paragraph thereof, by the words: "districts of Gaspé and Bonaventure".

Id., s. 51, am.

4. Section 51 of the said Courts of Justice Act is amended:

a. By replacing the words: "district of Gaspé", in the sixth and seventh lines of the first paragraph thereof, by the words: "districts of Gaspé and Bonaventure";

b. By inserting therein, after the word: "Gaspé", in the first line of the third paragraph thereof, the word: ", Bonaventure".

Id., s. 79, am.

5. Section 79 of the said Courts of Justice Act is amended:

a. By striking out the words: "or electoral", in the third line thereof;

b. By striking out the word: "electoral", in the said third line thereof.

Id., s. 81, am.

6. Section 81 of the said Courts of Justice Act, as amended by the act 20 George V, chapter 15, section 64, is again amended by replacing the words: "district of Gaspé", in the first line thereof, by the words: "districts of Bonaventure and Gaspé".

Id., Part I,
Div. V, title
am.

7. The title of Division V of Part I of the said Courts of Justice Act is amended by replacing the words: "DISTRICT OF GASPÉ", in the second line thereof, by the words: "DISTRICTS OF GASPÉ AND BONAVENTURE".

Id., ss. 104-
115, repealed.

8. Sections 104 to 115, inclusively, of the said Courts of Justice Act, and the amendments thereto, are repealed.

Id., s. 116,
am.

9. Section 116 of the said Courts of Justice Act is amended:

a. By striking out the word: "electoral", in the fourth line thereof;

b. By striking out the word: "*electoral*", in the fifth line of the French version thereof.

Id., ss. 118,
119, 121-127,
repealed.

10. Sections 118, 119, 121, 122, 123, 124, 125, 126 and 127 of the said Courts of Justice Act are repealed.

11. Section 139 of the said Courts of Justice Act is ^{R.S., c. 145,} amended: ^{s. 139, am.}

a. By striking out the words: "or the electoral district", in the first and second lines of subsection 1 thereof;

b. By striking out subsection 3 thereof.

12. Section 140 of the said Courts of Justice Act is ^{Id., s. 140,} amended by striking out the words: "in the electoral district and", in the second line thereof. ^{am.}

13. The said Courts of Justice Act is amended by ^{Id., s. 142b,} inserting therein, after section 142a thereof, as enacted ^{added.} by the act 16 George V, chapter 51, section 2, the following section:

"**142b.** The courts of the district of Rimouski, sitting in the town of Rimouski, and the Magistrate's Court of the county of Matapédia, sitting in Amqui, the judges and magistrates composing such courts and the justices of the peace of the district of Rimouski have concurrent jurisdiction with the courts of the district of Bonaventure, the judges and magistrates composing the latter and the justices of the peace of the latter district, to take cognizance of, hear, adjudicate upon and decide civil and penal matters within their jurisdiction, over the townships of Milniké, Assemétquagan, Patapédia, Matapédia, Ristigouche and Mann, of the judicial district of Bonaventure." ^{Concurrent jurisdiction of certain courts, etc.}

14. Section 206 of the said Courts of Justice Act is ^{R.S., c. 145,} amended by replacing the words: "district of Gaspé", in the second and third lines of the first paragraph thereof, by the words: "districts of Gaspé and Bonaventure". ^{s. 206, am.}

15. Section 11 of the Officers of Justice Salary Act ^{R.S., c. 155,} (Revised Statutes, 1925, chapter 155), as amended by the ^{s. 11, am.} act 16 George V, chapter 14, section 42, is again amended by replacing subsection 3 thereof by the following:

"3. The fees and emoluments collected in each district shall form a separate fund to be called "The district of ^{Officers of Justice Fee Fund.} Officers of Justice Fee Fund".

16. Section 10 of the Court House and Goal Act (Revised Statutes, 1925, chapter 156), as replaced by the act ^{R.S., s. 156,} 19 George V, chapter 54, section 1, is again replaced by the ^{s. 10,} following: ^{replaced.}

Ownership in
Govt.

"10. The title to the district court house and gaol, at or near the chief-place in each district of the Province, shall belong to the Government."

C. C. P., art.
15, am.

17. Article 15 of the Code of Civil Procedure, as amended by the acts 62 Victoria, chapter 52, section 1; 9 Edward VII, chapter 73, section 2; 1 George V, (1910), chapter 42, section 1; 5 George V, chapter 51, section 2; 5 George V, chapter 81, section 1; 14 George V, chapter 42, section 2; 19 George V, chapter 85, section 6; 23 George V, chapter 112, section 1; 24 George V, chapter 76, section 1, and 1 Edward VIII (2nd Session), chapter 41, section 1, is again amended by replacing, the words: "district of Gaspé", in the first line of paragraph 12 thereof, by the words: "districts of Gaspé and Bonaventure".

Id., art. 39,
am.

18. Article 39 of the said Code as amended by the act 9 Edward VII, chapter 73, section 3, is again amended by inserting therein, after the word: "Gaspé", in the third line thereof, the word: ", Bonaventure".

Id., art. 47,
am.

19. Article 47 of the said Code, as replaced by the act 10 George V, chapter 79, section 1, and as amended by the act 11 George V, chapter 13, section 1, is again amended by inserting therein, after the word: "Gaspé", in the seventh line thereof, the word: ", Bonaventure".

Id., art. 1289,
am.

20. Article 1289 of the said Code, as replaced by the act 13 George V, chapter 78, section 4, and as amended by the act 2 George VI, chapter 100, section 5, is again amended by replacing the words: "and Gaspé", in the fourth line thereof, by the words: ", Gaspé and Bonaventure".

1 Geo. VI,
c. 75, s. 44,
am.

21. Section 44 of the act 1 George VI, chapter 75, is amended by striking out paragraph *b* thereof.

Id., s. 81,
repealed.

22. Section 81 of the said act 1 George VI, chapter 75, is repealed.

Hearing, etc.,
of certain
pending cases.

23. The cases pending before the civil and criminal courts of the district of Gaspé sitting at New Carlisle at the coming into force of this act shall be heard and adjudicated upon by the civil or criminal courts of competent jurisdiction of the district of Bonaventure, as if such cases had originated therein.

The judgments rendered by the civil and criminal courts of the district of Gaspé sitting at New Carlisle prior to the coming into force of this act shall be executed under the authority of the civil or criminal courts of competent jurisdiction of the district of Bonaventure, as if such judgments had been rendered therein.

Executing of
certain judgments.

24. From and after the coming into force of this act:

a. The prothonotary of the Superior Court, sheriff, clerk of the Circuit Court, clerks of the Magistrate's Court, clerk of the Crown, clerk of the Peace, chief crier, high constable, coroners and justices of the peace appointed for the district of Gaspé, but to exercise their functions in the electoral district of Bonaventure, shall, in their respective capacities and until their appointment be revoked by competent authority, act as officers of the district of Bonaventure;

Certain
court officers
to act as
officers of dis-
trict of
Bonaventure.

b. The records, documents and archives in the possession of the officers of justice of the district of Gaspé exercising their functions at New Carlisle shall form part of the archives of the competent officers of justice of the district of Bonaventure.

Records, etc.

25. This act shall come into force on such date as it may please the Lieutenant-Governor in Council to fix by proclamation.

Coming into
force.

