

ed to the sheriff of that district, who alone is entrusted with its execution.”

Coming into force.

2. This act shall come into force on the day of its sanction.

C A P . X X I V .

An Act further to amend the laws relating to Jurors.

[Assented to 30th December. 1890.]

Preamble.

WHEREAS it is necessary to provide for the summoning of jurors in criminal cases when sheriffs cannot act; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Articles added after R. S. Q. art. 2657.

1. The following articles are added after article 2657 of the Revised Statutes of the Province of Quebec :

Before giving instruction to summon jurors, Clerk of Crown or Clerk of Peace to inquire of sheriff if he is disqualified and send at same time list of cases and parties to be tried at term.

“ 2657a. Before giving instructions to the sheriff to summon a panel of grand and petit jurors for any term of a court of criminal jurisdiction, the Clerk of the Crown or Clerk of the Peace shall enquire of the sheriff whether he knows of any lawful cause whereby he is disqualified from summoning the jurors for such term, and with such enquiry the said Clerk shall transmit to the sheriff a list of all the cases to be tried at the term, giving the names of the parties accused and of the private prosecutors or parties aggrieved.

If sheriff admits disqualification, precept to be directed to coroner.

If the sheriff admits any ground of disqualification, the Clerk of the Crown or Clerk of the Peace shall, forthwith, notify the Attorney General, and, upon application by the representative of the Crown, specially authorized, any judge who might hold or sit in the court for which the jurors are to be summoned, shall order the precept or *venire facias juratores* for that term of the court to be directed and awarded to the coroner of the district.

If coroner disqualified, precept to be directed to high constable, and if disqualified, to two persons sworn as elisors.

“ 2657b. If the coroner also be legally disqualified to act in place of the sheriff in summoning such jurors, which disqualification shall be ascertained and reported to the Attorney General in like manner, then the judge, upon similar application, shall order the precept or *venire* to be directed and awarded to the high constable of the district, or, in case of the disqualification of the latter officer, to be similarly ascertained and reported upon, to any two persons of the district, named by the judge in the order, and sworn as elisors.

“ **2657c.** The manner of making and preparing the panels and summoning and returning jurors by the sheriff in criminal cases, as prescribed by this chapter, shall be observed and followed by coroners, high constables and elisors having the return of jury process, and they shall for such purpose have free access, during office hours, to the registers and lists of grand and petit jurors in the office of the sheriff of the district.

Coroners and others to prepare, &c., panels and summon jurors, &c., as sheriff.

Every coroner, high constable or elisor who, upon such order, shall act in the place and stead of the sheriff, shall possess all the powers and perform all the duties in any way connected with making and preparing the panels, and summoning the jurors therein mentioned, as well as with regard to claims for exemption, summoning additional jurors, and the return of the panels, that are in and by this chapter prescribed to or vested in the sheriff of any district, with respect to jurors returned by him upon similar process.

Powers of coroners, &c., in performance of duties.

“ **2657d.** The fees and disbursements of the coroner, high constable or elisors shall be the same as those allowed to the sheriff for similar services by article 2661.”

Fees, &c., of coroners, &c., in such cases.

2. This act shall come into force on the day of its sanction.

Coming into force.

CAP. XXV.

An Act respecting the protection of public interest in rivers, streams and creeks.

[Assented to 30th December, 1890.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. The following paragraph is added after paragraph four of section twelve of chapter first of title seventh of the Revised Statutes of the Province of Quebec, as added by the act 53 Victoria, chapter 37 :

Paragraph added to R. S. Q. Title VII, chapter 1, section 12.

“ § 5.—Protection of public interest in rivers, streams and creeks.

“ I. DECLARATORY AND INTERPRETATIVE.

“ **2972c.** This act does not apply to dams, weirs or bridges erected in or over rivers, streams or creeks, nor to anything done *bona fide* in or for erecting such dams, weirs or bridges, nor to any obstruction caused by trees cut down or felled for the purpose of being used as

Act not to apply to dams, &c.