

CAP. VII.

An Act to divide the judicial district of Ottawa into two judicial districts and for other purposes.

[Assented to 24th July, 1880.]

Preamble.

WHEREAS the increasing wealth and population of the counties of Ottawa and Pontiac, render it expedient to provide for the more effectual administration of justice therein ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

Division of
judicial dis-
trict of Ottawa.
Name of these
districts.

1. The judicial district of Ottawa shall be divided into two judicial districts, one to comprise the county of Ottawa, and to be called the : " District of Ottawa," and the other to comprise the county of Pontiac, and to be called the : " District of Pontiac."

From and after the day to be appointed for that purpose in any proclamation to be issued by the Lieutenant Governor in Council, appointing such day and the times at which the terms of the Crown side of the Court of Queen's Bench are to be held in the said districts, declaring such district to be established for all purposes of the administration of justice in criminal matters, and further declaring that a proper gaol and court house, for the said district of Pontiac, have been erected at Bryson, in the said district, or at such place as, at the time of the proclamation, shall be the *chef-lieu* of the county of Pontiac,—the said county of Pontiac shall thereafter cease to form part of the said district of Ottawa, and such district of Pontiac shall thereafter be fully established for all purposes whatever, and the said district of Ottawa shall comprise the county of Ottawa alone.

Proviso, as
to proceedings
already com-
menced.

2. Provided always, that notwithstanding any such proclamation, all suits, actions and proceedings in or before the Superior Court, or any other court, civil or criminal, commenced before the day appointed in such proclamation, as that from and after which the said district of Pontiac is to be established, shall, as also all matters and proceedings incident or relative thereto, be continued, completed, dealt with and considered, as if the said district of Pontiac, established by such proclamation, had not been so proclaimed.

Officers in the
district of
Pontiac.

3. There shall be the same officers, connected with the administration of justice in the district of Pontiac, as in the

other districts of the province; and, after the issue of the proclamation, constituting such district, proper persons may be appointed to fill such offices, and all other provisions of law, touching such officers respectively, as well with regard to the security to be given by the persons holding the same, or the appointment of deputies, as with regard to other matters, shall extend to the like officers in the district of Pontiac; Provided always, that the security to be given by any such officers as aforesaid, appointed in the said district of Pontiac, shall not be higher than that given by persons, holding like offices, in the district of Ottawa.

4. From and after the said proclamation, all justices of the peace for the district of Ottawa, resident in the county of Pontiac, shall, without any other commission, be justices of the peace for the district of Pontiac, and shall cease to be so for the district of Ottawa; and all justices of the peace, for the district of Ottawa, residing in the county of Ottawa, shall continue to be justices of the peace for the district of Ottawa.

Justices of the peace in Pontiac, continued without new commission.

5. A judge of the superior court may be appointed by the Governor General in Council, and be assigned to discharge his duties in the district of Pontiac, and he shall reside in such place as shall be directed by the Lieutenant Governor in Council, but, until such nomination be made, the duties of such judge shall be discharged by the present judge of the existing district of Ottawa or his successor.

Judge may be appointed for district of Pontiac.

6. There shall not be exacted or paid any court house tax upon judicial proceedings in the district of Pontiac.

Taxes on judicial proceedings in the district of Pontiac.

7. The fees, payable upon judicial proceedings in the district of Pontiac, shall be the same as those payable in the district of Ottawa, but shall belong to the officers whose right it is to collect the same.

Fees on proceedings to be the same in district of Pontiac as in district of Ottawa.

8. The county council of the county of Pontiac is hereby authorized to pass a by-law, authorizing a loan not exceeding the sum of twenty-five thousand dollars, for the erection of a suitable gaol and court house in the said county, and for that purpose to issue debentures, signed by the warden and countersigned by the secretary-treasurer of the said county, which bonds or debentures shall be made in such form, and payable to such persons, and at such periods, and in such places, and with such rate of interest, not exceeding six per cent per annum, and be made redeemable by a sinking fund or otherwise, as the said

Loan by county of Pontiac, authorized.

Proviso.

council may establish ; which by-law must before coming into force and effect, be approved by the electors of the said county, and by the Lieutenant Governor in Council, in the manner provided in sections 1 and 2, of the sixth chapter, of the first title, of the second book, of the municipal code, of this province.

Art 1355, C.
C. P. L. C.,
amended in
consequence.

9. Article 1355, of the code of civil procedure of Lower Canada, is amended so as to include the district of Pontiac, among the districts of this province.

CAP. VIII.

An Act to further amend the Act respecting Judicial and other Deposits.

[Assented to 24th July, 1880.]

SS. 4 and 5 of 35 V. c. 5, and S. 1 of 36 V., c. 14, replaced. 1. Sections 4 and 5 of the act, 35 Vict., chap. 5, and section 1 of the act, 36 Vict., chap. 14, are repealed and replaced by the following provisions :

Certain officers shall deposit sums \$100 and over, and produce receipt.

“Every clerk of appeals, prothonotary of the superior court, clerk of the circuit court or of a district magistrates’ court, who, in his official capacity, shall have received, himself, or by his deputy, as a judicial or other deposit, any sum of one hundred dollars or over, shall immediately deposit such sum to the credit of the treasurer of the Province, in such bank or other monetary institution, as shall be indicated by the said treasurer, and shall file in the record of the case or of the proceedings, in which he has received the said sum, the deposit receipt of such bank or other monetary institution.

Sheriffs shall deposit sums of \$100 and over, and produce receipt.

Every sheriff, who, in his official capacity, shall have himself, or by his deputy, received, either as the price of a judicial sale or otherwise, a sum of one hundred dollars or over, shall immediately deposit such sum, to the credit of the treasurer of the Province, in such bank or other monetary institution, which shall be indicated by the said treasurer, and shall, without delay, file in the office of the prothonotary or clerk, the deposit receipt of the said bank or other monetary institution.

Deposit of sums less than \$100.

As to sums less than one hundred dollars, which shall be received as aforesaid, by the said officers, they shall be deposited in the manner aforesaid, so soon as they shall amount to an aggregate sum of one hundred dollars or over.

Such officers are agents of the treasurer for the pur-

Such officers shall, from the mere fact of holding such offices, be agents of the treasurer of the Province for the purposes of the said act, 35 Vict., chap. 5, and its amend-