

Judge may be depending, for the purpose of having the decision of such Judge rescinded or altered, as fully as such right is now enjoyed according to the practice of the Court of Queen's Bench.

X. And whereas by the said Act of the Legislature of the late Province of Upper-Canada, passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled, *An Act to increase the present number of Judges of His Majesty's Court of King's Bench in this Province; to alter the terms of sitting of the said Court, and for other purposes therein mentioned*, it was deemed expedient for the more convenient despatch of business to enable one of the Judges of the said Court of Queen's Bench to sit apart during term for the decision of certain matters therein specified; and whereas under the present arrangement the continuance of the said provision is inexpedient: Be it enacted, That so much of the fifth clause of the said last recited Act as provides for the formation of a Practice Court is hereby repealed from the time that this Act takes effect.

Recital.

Act of U. C. 7  
W. 4. c. 1.Part of sec. 5,  
of the said Act  
repealed.

XI. And whereas it is expedient to alter the office of the Clerk of the Crown and Pleas in the said Court of Queen's Bench in Upper-Canada, and to alter the manner of remunerating the said Clerk, and to place the said Office on the same footing as the Office of the Clerk of the Crown and Pleas in the said Court of Common Pleas hereby established: Be it enacted, That it shall and may be lawful for Her Majesty, by Letters Patent under the Great Seal of this Province, to appoint a Clerk of the Crown and Pleas in the said Courts of Queen's Bench and Common Pleas, respectively, to hold Office during Her Majesty's pleasure, and from time to time to supply any vacancy in the said offices; and that it shall be lawful for each of the said Clerks of the Crown and Pleas, to appoint, subject to the approval of the Judges of their respective Courts, a Senior and Junior Clerk; and the said Clerks of the Crown and Pleas, with the like approval, may remove at pleasure any of the Clerks so appointed: And that the several Clerks of the County Courts in Upper-Canada, shall be *ex-officio* Deputy-Clerks of the Crown and Pleas in the said Courts of Queen's Bench and Common Pleas: Provided always, that the parties who at the time of the passing of this Act shall hold the offices of Deputy-Clerks of the Crown in the several Districts shall continue to hold the same at the pleasure of the Crown, and that while so holding the same they shall respectively discharge the duties of Deputy-Clerks of the Pleas for their several Districts and that they shall hold such Offices as Deputy-Clerks of the Crown and Pleas subject to the provisions and receiving the remuneration mentioned in this Act.

Recital.

A Clerk of the  
Crown and  
pleas to be ap-  
pointed in  
each Court.Tenure of  
office, &c.Clerks to be  
appointed by  
them.Clerks of  
county courts  
to be their  
deputies.Proviso:  
present deputy-  
clerks of the  
Crown to re-  
main so during  
pleasure, and  
be also deputy-  
clerks of the  
pleas.Duties of the  
said clerks of  
the Crown and  
Pleas.

In C. P.

Certain orders  
rules, &c., of  
Q. B. to apply  
to the clerk of

XII. And be it enacted, That the said Clerk of the Crown and Pleas in the said Court of Queen's Bench, and his Deputies shall perform the duties of their several Offices in the same manner and under the same regulations as the said Clerk of the Crown and Pleas and his Deputies in the said Court of Queen's Bench have heretofore performed the same, and that all sums and fees shall continue to be payable and receivable by the like persons as the same have heretofore been paid and received in respect of any matter in the said Court of Queen's Bench; and that the said Clerk of the Crown and Pleas in the said Court of Common Pleas and his Deputies shall respectively perform in the said Court the like duties as are performed by the Clerk of the Crown and Pleas and his Deputies in the said Court of Queen's Bench; and all orders, rules and regulations in force respecting the said Clerk of the Crown and Pleas of the said Court of Queen's Bench and his Deputies, and respecting the regulation of their several