

shall next happen after the resignation of  
 2 the said Office; and that the executors or  
 administrators of the person to whom the  
 4 said annuity shall be granted as aforesaid,  
 shall be paid such proportionate part of the  
 6 said annuity as shall accrue from the com-  
 mencement or the last quarterly payment  
 8 thereof, as the case may be, to the day of his  
 death: Provided always, that no annuity  
 10 granted to any Judge appointed under this  
 Act shall be valid, unless such person shall  
 12 have continued in the said Office, or in the  
 said Office and the Office of a Judge of one  
 14 or more of Her Majesty's Superior Courts of  
 Common Law or Equity in Upper Canada  
 16 for the period of fifteen years, or shall be  
 afflicted with some permanent infirmity dis-  
 18 abling him from the due execution of his  
 Office which shall be recited in the Grant.

Case of death  
 provided for.

Proviso: in  
 what cases an-  
 nuity may be  
 granted.

20 VII. And be it enacted, That every  
 Judge to be appointed in pursuance of this  
 22 Act, shall, previous to his executing the  
 duties of his Office, take the following oath:

Judges ap-  
 pointed under  
 this Act to  
 take an oath  
 of office.

24 "I, do solemnly and sincerely  
 "promise and swear, that I will duly and  
 26 "faithfully, and to the best of my skill and  
 "knowledge, execute the powers and trusts  
 28 "reposed in me (as Chief Justice, or one of  
 "the Puisné Judges) of the Court Com-  
 30 "mon Pleas: So help me God." Which  
 said oath shall be administered to the  
 32 Chief Justice of the said Court before the  
 Governor, Lieutenant-Governor, or person  
 34 administering the Government of this Pro-  
 vince in Council, and to the Puisné Judges  
 36 of the said Court, in open Court, in presence  
 of the Chief Justice thereof.

The oath.

How adminis-  
 tered.

38 VIII. And whereas it is desirable that  
 the jurisdiction, practice and mode of pro-  
 40 ceeding of the said Court of Common Pleas  
 should be similar to the jurisdiction, practice  
 42 and course of proceeding of the said Court  
 of Queen's Bench: Be it enacted, That the  
 44 said Court of Common Pleas may and shall  
 hold plea in all and all manner of actions,

Recital.

Jurisdiction  
 and powers of  
 and mode of  
 proceeding in