

constituted, or in any term or session thereof, in which any recusation for legal cause shall be made of the Judge or Judges before whom such action shall be pending, by either or any of the parties in such action, such recusation shall be entered of Record, and the process *ad respondendum* and all other proceedings in such action and all things thereto relating, shall be removed and transmitted in and into the Division of the Court of Common Pleas of and for the District in which such action shall be pending; and such Division of the Court of Common Pleas shall proceed to hear and determine, in a summary manner, whether the said recusation be or be not well founded, and if such Division of the said Court of Common Pleas shall sustain such recusation, the Judges thereof shall proceed to hear, try and determine such action in due course of Law, and as if the process *ad respondendum* thereon issued, had been originally returnable before such Court of Common Pleas, and if they shall dismiss such recusation, the process *ad respondendum* and the proceedings in such action and all things thereto relating, shall be returned and remitted to the said District Court for such further proceedings thereon, as Law and justice may require.

XXIV. And be it further enacted by the authority aforesaid, that in every action which shall be pending in the Court of Common Pleas hereby constituted or in any division thereof, in which any recusation for legal cause shall be made of the Judge or Judges before whom such action shall be pending by either or any of the parties in such action, it shall and may be lawful to and for the Judges of the Division of the Court of Common Pleas in which such action shall be pending, to call to their assistance the Judge or Judges of the District Court, of and for the District in which such action shall be pending, and the Judge or Judges of such Division of the Court of Common Pleas, who shall not be recused, and the Judge or Judges of such District Court, shall hear, try and determine such recusation, in due course of Law.

XXV. And be it further enacted by the authority aforesaid, that there shall be established, constituted and erected, and there is hereby established, constituted and erected in this Province of Lower-Canada, a Superior Court, to be called His Majesty's Court of King's Bench of and for the Province of Lower-Canada; and the said Court of King's Bench hereby constituted, shall consist of His Majesty's Chief Justice of the said Province, for the time being, and of three Puisné or associate Justices, and shall have, hold and exercise jurisdiction, as well in civil as in criminal matters, in and over the whole of the said Province of Lower-Canada, in the manner herein after enacted.