

- papers and documents therewith connected, to be transmitted to the Chief Justice of Upper Canada as President of the said Court; and thereupon the said Court shall appoint a day for the meeting of the said Court, and at such sittings or at any adjournment thereof the Judges of the said Court shall proceed to the trial of the charges laid and set forth in the said complaint and to the hearing of the parties complainant and accused, or their counsel, witnesses and proofs respectively, and shall adjudicate upon such complaint and charges, and, if such complaint be for inability, shall determine if such inability has been proved, and if it has, shall state in the judgment of the Court the nature of the inability established, and if the same be, in the opinion of the Court, of such a character as to render it expedient to remove such judge, and if such complaint shall be for misbehaviour in office, shall determine whether such Judge be guilty or not guilty of such misbehaviour, and if not guilty, still, has the conduct of such Judge been censurable or unbecoming; and the judgment of the said Court shall be certified to the Governor in Council, and shall be final and conclusive to all intents and purposes whatsoever.

What points the Court shall decide.

Judgment to be certified to the Governor in Council, and to be final.

- And the said Court shall have power to award reasonable costs to be paid by one party to the other, according to the nature of the adjudication, viz: If the complaint be adjudged to be false or vexatious, the accused shall be entitled to his costs of defence, if the conduct of the Judge complained against (whether he be found guilty or not guilty) be adjudged to be censurable and unbecoming, the complainant shall be entitled to his costs of prosecution.

Power of the Court to award costs.

- XIII. In case of the illness or unavoidable absence of any one of the said Judges of the said Court, the Senior Puisne Judge of the Superior Courts of Common Law, at Toronto, may act instead of such Judge, so ill or absent, and with the like powers as aforesaid.

In such Court Senior Puisne Judge may sit in absence of Chief Justice.

- XIV. In and for each of the several Counties in Upper Canada where there shall be only one Judge in discharge of the functions of Judge in the County Court and it shall not be deemed necessary to appoint a second or junior Judge for such County, it shall be lawful for the Governor of this Province, from time to time, to appoint during pleasure some Barrister at Law, of at least three years' standing at the Bar of Upper Canada, as Deputy Judge to execute, and perform the duties of Judge of the County Court in and for the County to which he is appointed at any time or times during such appointment when it may be necessary so to do by reason of the illness, unavoidable absence, or absence on leave of such Judge (or upon his demise until his successor shall be appointed,) and such Deputy Judge during such illness or absence (or vacancy by death) as aforesaid, shall and may perform and discharge all the ordinary duties and functions of the Judge, so ill, absent or deceased.

In Counties where there is no Junior County Judge, a Barrister may be appointed to act for the Judge in certain cases.

His powers as Deputy Judge.