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No. 63.

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1st Session, 5th Parliament, 18 Victoria, 1854.

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## BILL.

An Act to provide for the holding of the several County Courts in Upper Canada, in case of the illness or unavoidable absence of the County Judge.

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Received and read First time, Thursday, 28th  
September, 1854.

Second Reading, Thursday, 5th October, 1854.

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MR. FREEMAN.

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QUEBEC:

PRINTED BY JOHN LOVELL, MOUNTAIN STREET.

An Act to provide for the holding of the several County Courts in Upper Canada, in case of the illness or unavoidable absence of the County Judge.

WHEREAS it is expedient to provide for the holding of the several County Courts in Upper Canada in cases where the Judge of any such Court shall be ill or unavoidably absent; Be it enacted &c. as follows :

Preamble.

I. In case of the illness or unavoidable absence of the Judge of any County Court in Upper Canada, it shall be lawful for the Judge of the County Court for any other County to hold the Court and to act in the place of the Judge so ill or absent, and with the same powers; or for such first mentioned Judge to appoint some Barrister of not less than five years standing to act as his Deputy during such absence.

Another county Judge may act for absent Judge or the latter may appoint a deputy.

II. Every deputy so appointed shall, during the time for which he shall be so appointed, have all the powers, and be subject to all the duties vested in or imposed by law on the Judge by whom he shall have been so appointed; and notice of every such appointment shall be forthwith sent by the Judge or Deputy Judge, to the Governor of this Province, and such notice shall specify the name, residence and profession of the Deputy Judge, and the cause of his appointment. And no such appointment shall be continued for more than three calendar months without a renewal of the like notice; and it shall be lawful for the Governor to annul any such appointment of which he shall disapprove.

Powers of deputy Judge.

Notice to Governors.

Duration of appointment.

Governor may annul it.

III. It shall be lawful for the Sheriff of any County or United Counties or his Deputy, in case of the illness or absence of the Judge of any such County Court and no Judge being present to hold such Court on the day the same is required to be held according to law or any adjournment thereof, to adjourn the opening or proceedings of the said Court from day to day, or until such day as he shall be advised that the same can be legally held.

Sheriff may adjourn the County Court in the absence of a Judge.