
5th Session, 8th Parliament, 29-30 Victoria, 1866.

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BILL.

**An Act to amend the Act respecting the
Court of Impeachment in Upper Canada.**

**Received and read, first time, Tuesday,
17th July, 1866.**

Second reading, Wednesday, 18th July, 1866.

Hon. Mr. CAMPBELL.

OTTAWA :

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BILL.

An Act to amend the Act respecting the Court of Impeachment in Upper Canada.

WHEREAS it is expedient to amend the Act passed in the twenty-
second year of Her Majesty's reign, intituled, "An Act respect- Preamble.
ing the Court of Impeachment," being chapter fourteen of the Consol-
idated Statutes for Upper Canada; Therefore, Her Majesty, by and
5 with the advice and consent of the Legislative Council and Assembly of
Canada, enacts as follows :

1. The second section of the said Act is hereby repealed, and the fol-
lowing substituted therefor : New section
substituted
for section 2.

10 "In case of the illness or absence from Upper Canada of any one or
Judges of the said Court, any one or more of the Puisne
Judges of the Superior Court of Common Law, may with like powers
act in the stead of the Judge or Judges so ill or absent."

2. The fourth section of the said Act is hereby repealed, and the fol-
lowing substituted therefor : Section 4
repealed, and
new section
substituted.

15 "In case any complaint for inability or misbehavior in office be
preferred against any Judge of any County Court, or against any Re-
corder of any City, and if the Governor finds the same sufficiently sus-
tained, and of sufficient amount to demand judicial investigation by the
Court of Impeachment, he shall direct such complaint and all papers
20 and documents therewith connected, to be transmitted to the Chief
Justice of Upper Canada, as President of the Court."

3. The fifth section of the said Act, "Sittings," is hereby repealed,
and the following substituted therefor : Section 5
repealed, and
new section
substituted.

25 "The Court of Impeachment shall thereupon appoint a day for the
meeting of the Court, and any Judge of the said Court, or any Puisne
Judge acting in the stead of any Judge, may open and adjourn the said
Court of Impeachment to any other day, and so from time to time as
occasion may require, and at such sittings or any adjournment thereof,
the Judges of the said Court shall proceed to the trial of the charges
30 laid and set forth in the complaint, and to the hearing of the parties
complainant and accused, their counsel, witnesses, and proofs, respect-
ively, and shall adjudicate upon such complaint and charges."

4. The provisions of the sixth, seventh, eighth and ninth sections of
the said Act shall be held and taken to extend to complaints against
35 Recorder of any City in the same manner as they apply to any com-
plaints against the Judge of any County Court, and shall be read as if
the words "or any Recorder" were inserted in the said sections after the
word "Judge" wherever the same occurs in the said sections. Sections 6, 7,
8 and 9 to
extend to
Recorders.