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B I L L .

An Act to authorize the appointment of
Assistant Judges of the Superior Court
for Lower Canada in certain cases.

Received and read first time, Tuesday, 7th
September, 1852.

Second reading, Wednesday, 8th Sept., 1852.

(400 Copies.)

Mr. Atty. Genl. DRUMMOND.

S. Derbishire and G. Desbarats, Queen's Printer.

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BILL.

An Act to authorize the appointment of Assistant Judges of the Superior Court for Lower Canada in certain cases.

WHEREAS great public inconvenience might arise from the illness or unavoidable absence of a Judge of the Superior Court for Lower Canada, at a time when no other Judge of the same Court could be spared to perform his duties; and it is therefore expedient that the Governor of this Province should in such cases have power to appoint an Assistant Judge of the said Court: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That whenever any Judge of the Superior Court shall, by illness, absence from the Province with leave, suspension from office, or other cause, be unavoidably prevented from performing his duties as such Judge, it shall be lawful for the Governor, if he shall see fit, to appoint by an Instrument under the Great Seal of the Province, some person qualified to be appointed a Judge of the said Court, to be an Assistant Judge thereof, either for a time certain, to be limited in such Instrument, or during the time the Judge first mentioned shall continue unable to perform his duties, in which last case the appointment of such Assistant Judge shall determine whenever such first mentioned Judge shall resume the performance of his duties or another Judge shall be appointed in his place: and during the time the appointment of any such Assistant Judge shall remain in force, he shall have and exercise all the powers and authority, and perform all the duties by law vested in or assigned to a Judge of the said Superior Court, as if he had been appointed a Judge thereof, and shall reside at the place named for that purpose in the Instrument appointing him: Provided always, that more than one Assistant Judge may be appointed at the same time, if more than one Judge be at the same time absent or unable to perform his duties.

Preamble.

Assistant Judges of the Superior Court may be appointed in certain cases.