

Laws of Her Majesty's Province of United Canada, passed in the year 1854. Quebec: Stewart Derbyshire and George Desbarts, 1854.

18 Victoria – Chapter 20

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. Assented to 18th December, 1854.

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 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, as follows:

- 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.
- 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.
- 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.
- IV. This Act shall be in force for one year from the passing thereof, and no longer.