

entered at any subsequent county court, or assize, &c. When referred, the county court may enforce the award as if the reference had been made by itself. A motion respecting a non-suit in a county court, as well as a verdict, &c., and any cause had as well as tried or assessed in any sittings of assize and nisi prius, may be made in any superior court of law at Toronto, and the decision there is final. When the verdict or finding of the judge in a case tried without a jury is moved against—the court need not grant a new trial for objections against the sufficiency of evidence, or erroneous view of it by the judge, or his mistake about the law, but may, subject to appeal, deliver the verdict or judgment he should have delivered. There shall be county court sittings without a jury, (except in York,) on the first Monday in April and October in each year. On removal by certiorari to a superior court, one need not declare *de novo*, but proceed as the record stands. Whenever the county court is ousted of jurisdiction by the title to land, or the validity of any devise, &c., under a will, &c., being brought in question, any judge of a superior common law court, or the judge of the county court, may order the removal by certiorari to a superior court. A superior court judge may review such order of the county court. No writ of error shall lie from a county court judgment unless for a claim of over \$100—then at the discretion of the superior court judge. The proceedings on such writs are to conform to English practice,—the judges of the superior courts having authority to make rules of practice. Parties suing or being sued in the name of others, or for whose benefit a suit is prosecuted or defended, or suing or defending in the name of others, though not mentioned in the record, may be recognised as parties wishing to appeal under the C. S. U. C. c. 15, ss. 67 & 68, and may give the necessary security. The time which the judge may stay proceedings under the former section, for that purpose, is extended to 10 days. The junior judge of York is authorized to do chamber business in the absence of the county judge.

#### COUNTY ACCOUNTS.

Cap. 8.—The auditing of the accounts against any county formerly done by the quarter sessions, are hereafter to be audited by a board of audit, composed of the chairman of the sessions and two others appointed annually by the county council, not more than one being a member of such council. Such of the accounts as are delivered on the first day of the sessions of the peace, or of oyer, &c., shall be audited in the week next succeeding that in which the sittings end. The council may pay the persons they appoint \$2 each for their attendance. C. S. U. C., c. 121, s. 2 is repealed.

#### LAW FEES AND TRUST FUNDS.

Cap. 9.—All distinction between the various fees and charges levied under the C. S. U. C., and 27 & 28 V., c. 5, or any other act, is abolished, and all such fees form a part of the C. R. F. Only one kind of stamp of different denominations is to be used. All such fees collected and to be collected from 30th June, 1867 to 1st January, 1870, form part of such fund. As an equivalent for the law society fees and charges, the Province is to pay it \$14 500 per an. The L. G. in C. may order the design and color of stamps, &c. The U. C. Grammar School income fund, together with the income from the Grammar School fund, the Grammar School lands, building fund, and marriage licenses, common school fund and common school lands, form part of the C. R. F.

#### SHERIFFS, CLERKS OF THE PEACE AND COUNTY ATTORNEYS' FEES.

Cap 10—Provides table of fees for the above officers under the Dominion Act 32 and 33 V. c. 35, in the county judge's criminal court. To sheriff—Notification and bringing up prisoner, \$1; bringing him up for arraignment on trial and sentence, &c., \$2. For travel to subpoena and make arrest same as under 32 V., c. 11. To Clerk of Peace—Attendance and making entries for a prisoner not consenting to be tried, 50 cts. If he is tried, \$2. Warrant to bring up prisoner, 50 cts. Summons to witness, 40 cts., copy, 20 cts. Warrant of remand to sheriff, 50 cts. For other services, as at Sessions of the Peace. The county attorney, the same as at sessions.

#### PROCEEDINGS IN JUDGE'S CHAMBERS.

Cap 11.—Every judge sitting as judge of assize and *nisi prius* may, at Toronto, act as judge in chambers respecting all business during the session, and elsewhere, respecting any cause entered for trial before him. Any judge of superior court may act as judge in chambers in any case of jurisdiction common to the several law courts, or, out of court, may do any business pertaining to the common law superior courts. A majority of the judges of the superior common law courts, including the two chief justices or one and the senior puisne judge, may make rules of court authorizing the clerk of the crown, &c., of the Q. B. to act as a judge in chambers, except in matters relating to the liberty of the subject, and may regulate his fees. Such rules are to be laid before the legislature within one month after the commencement of the next session. An appeal from his decision may be granted by such rules to a judge in chambers.

#### COUNTY COURT JUDGES.

Cap 12—Makes the tenure of office by a county court judge during good behaviour; but they are removable nevertheless by the L. G. for inability, incapacity or misbehaviour established to the satisfaction of the L. G. in C.

#### EVIDENCE IN CIVIL CAUSES.

Cap 13.—No person hereafter shall be debarred from giving evidence in any civil suit by reason of crime or interest. Parties to a suit may be admitted and compelled to give evidence, but a husband may not give evidence against his wife or a wife against her husband. Nor does this Act apply to cases of adultery, or breach of promise of marriage, nor to compel any person to criminate himself, or to subject himself to a penalty. In an action or proceeding by or against the personal representative of a deceased person neither party may be called