

Other sections of chapter 12 are identical with certain sections in chapter 13, but as they have not come into force as regards either Act, there is no occasion at present to refer to them.

A few words now as to the Rules of court, (which have had always the same force as the statutes), to which the jurisdiction of local judges was originally declared to be subject, and still is so. The original Rule 41 declared the jurisdiction of County Judges to be the same (with a few exceptions) as that of the Master in Chambers. Nothing is said in the Rule about the County Judges as local judges, though the Rule itself is preceded by the caption "Local Judges."

Though not exactly germane to the "Judicature Act," it may be as well, while treating of this Rule, to follow out its bearing on local judges as County Judges. One of the exceptions referred to above is that of *quo warranto* proceedings, in which County Judges had, previously, always jurisdiction. A new Rule, 41, was, by Rule 1289 (in force September 1st, 1894), substituted for the old one. This, while extending the jurisdiction to interpleader matters, still retained the exception as to *quo warranto*. It also retained the previous definition of jurisdiction with reference to that of the Master in Chambers, oblivious, apparently, of the fact that on the 5th of May previous, by 57 Vict., chapter 20, section 2, every local judge was declared to have, in actions brought and proceedings taken in his county, "the like powers as a judge of the High Court sitting in court," except as to certain matters thereafter set out.

By Rule 1380 (passed September 29th, 1894), the exception as to *quo warranto* was done away with, but still no reference to 57 Vict., chapter 20. All these rules were, however, rescinded by a new Rule, 1386, passed December 29th, 1894, which preserved to the local judge the existing jurisdiction. Reference is here made for the first time to 57 Vict., chapter 20; and to the exception as to "dispensing with the payment of money into court" are added the words, "in any action or matter."

From all this it would appear that a local judge has all the powers of a judge of the High Court sitting in court, as to the proceedings and matters set out in section 11 of 57 Vict., chapter 20; as to anything else he has the same powers as the Master in Chambers at Toronto, subject however to rule 1386; while his