

## THE OFFICE OF COUNTY JUDGE IN ONTARIO.

local judge, a critical analysis of the several duties not being attempted.

## APPELLATE JURISDICTION.

The appellate jurisdiction of the County Judge is exercised partly at the sessions, and partly at chambers, according to the matter and nature of the appeal. He determines all cases of appeal against summary convictions by justices of the peace, hears and determines appeals under the assessment law from the several Courts of Revision, numbering from ten to forty, according to the extent of his judicial district. His duties herein are most important, and his jurisdiction is exclusive and final—the particular points need not be mentioned—suffice it to say, that the right of parties to be placed on the roll, the capacity in which they are to appear there, the nature of the property assessed, and the under or over assessment, speaking in general terms, are all grounds of appeal; and incidentally is determined the qualification of voters under the franchise law; this last a duty given to judicial officers, Revising Barristers, appointed in England for the sole purpose.

In connection with assessment appeals, undoubtedly the most important one of all is that from the equalization made in assessment rolls of the several municipalities in the county. Upon these the County Council, an elective body representing every part of a county, and numbering sometimes as many as forty three Reeves and Deputy Reeves, make what the Legislature designed should be a fair and just equalization; but from local prejudices or irregular considerations, equalizations made were not always accepted as just and fair towards certain municipalities, and the Legislature gave them an appeal to the local judge, and intrusted him with the correction of what might be found unjust, conferring upon him the unrestricted power to equalize the whole assess-

ment of the county, as in his opinion might be just. This has been found to be a most delicate, as well as a distasteful and onerous duty, involving very extended enquiries. But it appears the Legislature could see no other way to give cheap redress to municipalities aggrieved, and the local judge is found a convenient medium.

Appeals are also given to the County Judge in respect to by-laws of a municipality for deepening streams, draining property, &c.; from assessments made upon real property benefited by improvements proposed in a municipality; from the decision of fence viewers on conflicts as to line fences and water courses; and under the recent drainage Acts, several matters are made subjects of appeal to him.

## MINISTERIAL DUTIES.

In cities, and in towns having a police magistrate, the County Judge is constituted one of the Board of Police Commissioners, having the appointment and dismissal of the men constituting the police force, the fixing of the remuneration, the regulation of their duties, and the general management and supervision of the whole force. This mixed duty may be placed under this head, but the mere ministerial duties of the Judge are few—chiefly confined to the administration of oaths to officers, taking bail in civil cases, and in regard to books for registry offices.

## POWER OF APPOINTING ARBITRATORS.

The County Judge's duties as to the appointment of arbitrators are found in various statutes relating to Railways, Joint Stock Company roads, Toll roads, Municipalities, Drainage Works, respecting Traction Engines, and under the provisions of the Act providing for cases where the Governor in Council dissolves certain companies.