

for any person to take an oath in open court to qualify such person to give evidence before any grand jury.

3. *Interpretation of Terms.*—The word "foreman" shall include any member of such grand jury, who may for the time being act in behalf of such foreman in the examination of witnesses in support of any bill of indictment: and the word "oath" shall include affirmation, where by law such affirmation is required or allowed to be taken in lieu of oath.

THE COUNTY COURTS PROCEDURE ACT.

The recent Act, for the improvement of procedure in the Superior Courts as might be expected, has given rise to numerous questions requiring decisions of the Courts and Judges to settle. The County Courts Procedure Act being in the main drawn from the C. L. P. Act, nearly every case on the latter has served the purpose of an exposition of the former statute; but hitherto there has been but one case of importance specially relating to the County Courts, (*Chard v. Lout*, ante page 227, on the subject of Costs.) A judgment on the same point from the county of Simcoe appeared in the November number; it will be seen that in the main question considered, the judgment of the County Judge is supported by the decision of Mr. Justice Burns in *Chard v. Lout*.

We would feel obliged if country practitioners would send us copies of written decisions in the local courts on the construction of the Act, and we would willingly insert communications tending to elucidate its provisions.

We understand that in several counties, the Rule of the Superior Courts as to time for pleading, &c., is considered to be in force and acted on in County Courts—and that issue books are delivered and records entered merely, without being sealed or passed, in the same way as in the court of Q. B. and C. P. under the new practice.

It is certainly most desirable that the practice in all the courts of Record should be assimilated as closely as possible, and the very broad range which the 19th section of the County Court Procedure Act takes must tend to such a result.

THE COMMON LAW PROCEDURE ACT.

Our space would scarcely permit the insertion of all the cases from month to month decided in Chambers upon points arising out of this Act, even

if we could procure them in sufficient time for publication in full: we endeavour to make up for this by giving notes of every decision received up to the latest moment of going to press, publishing such cases in full in the next issue.

The practitioner will perceive that the Reports are prepared with care and ability, and we have received from several quarters testimony to their usefulness. Country members of the profession would probably never hear of these cases, but for the *Law Journal*, as most of the Reports are from the *vivâ voce* decisions of Judges; and all concerned will best show their appreciation of the undertaking by aiding in the circulation of this Journal.

HARRISON'S C. L. P. ACT.

The second number of this publication has just been issued, and it is but justice to say that it sustains the character Mr. Harrison has even now earned—that of a careful and able annotator.—Indeed the work, when completed, will enable the practitioner to dispense with most of his text books on practice, and will largely aid in giving full practical value to the new laws.

The orders, we are told, already embrace a very large portion of the edition. Those who trust to procure the work when completed may not be able to do so then, and we recommend all to send in their subscription without delay, and thus secure a copy.

CHAMBER CASES.

Our Chamber Reports are again so numerous that we can only, as before, give notes of many of them, which want of space will not allow us to publish in full in this number:—

STREET V. CUTHBERT.

Leave granted to administer interrogatories under 176th section C. L. P. Act before plea pleaded; leave to plead several matters being asked for in the same summons, and the interrogatories having particular reference to the pleas sought to be pleaded.—Per Burns J., Oct. 4, 6.

EVERY V. WHEELER.

In an action by bearer of a promissory note against maker defendant cannot plead denying that the plaintiff is the bearer and also in confession and avoidance without leave, under