

the Lieutenant-Governor may from time to time make such an appointment, the salary to be paid by the county."

Then by sec. 17, "In a county in which there is a police magistrate appointed under sec. 15, no justice of the peace shall admit to bail or discharge a prisoner," etc., following the language of sec. 7.

But, when the case with which we have to deal is dealt with, the provision is entirely different. Section 19 is the section, and it is: "The Lieutenant-Governor may appoint more police magistrates than one for any county or union of counties or district or part of a district," &c. Then the provision, analogous to secs. 7 and 17, is that in sec. 22: "No justice of the peace shall admit to bail or discharge a prisoner or adjudicate upon or otherwise act until after judgment in any case prosecuted under the authority of any statute of Ontario where the initiatory proceedings were taken by or before a police magistrate;" so that in the case of the police magistrate as appointed by the Lieutenant-Governor for part of the district of Nipissing, the jurisdiction of a justice of the peace for the district is excluded only if the initiatory proceedings had been taken by the police magistrate for the district or part of the district, which was not the case in regard to the prosecution in this case.

The only question remaining upon this branch is as to whether Mr. Brown, under the provisions of sec. 30, had authority to make the conviction, and whether he properly describes himself in making it as police magistrate for the town of Cobalt.

It is quite clear that under the provisions of sec. 30 he had all the powers conferred by sec. 30, while acting anywhere within the district for which he is *ex officio* a justice of the peace, and he is *ex officio* a justice of the peace for the district of Nipissing,

According to the decision of the Court of Appeal in *Hunt v. Shaver*, 22 A. R. 202, he was acting, while exercising this jurisdiction, as police magistrate for the town of Cobalt, and so properly described himself.

In *Hunt v. Shaver* the question was as to whether a police magistrate for a village, who was *ex officio* a justice of the peace for the county in which the village was situate, was exempt from making the return of convictions which is required to be made by justices of the peace; and it was held that he was not. The judgments are short, and I may