Including those in which the jury notice was thus struck out there were 238 tried without a jury, *i. e.*, in 67 cases a jury was asked for by one party or the other, while in 225 both parties desired the trial to be by the Judge without a jury. I may add that of these 292 cases, 40 were appealed.

In the Supreme Court in Toronto in 1913, 71 cases came on for trial at the jury sittings, in 2 the jury notice was struck out and 69 were tried with a jury. One hundred and ninety-three were tried without a jury.

Most of the cases in which a jury is permitted are for damages against railways, street railways, automobiles, etc., and especially in cases of injury to workmen. If actions by workmen against their employers be taken from the jurisdiction of the Courts as is suggested, the jury cases will be very largely cut down.[5] The number of cases in which a jury is asked for is not increasing but rather the reverse, and there is no desire on the part of the people to take away from the Judges the power of dispensing with a jury.

So far, I have been speaking of civil cases. I shall now add something as to criminal cases.

The old common law rule as to trial by the Quarter Sessions and Courts of Oyer and Terminer long remained in force but it became cumbrous.

In 1834 by the Act 4 William IV, c. 4, power was given to a Justice of the Peace to try cases of assault and battery not accompanied with attempts to commit felony, also malicious injury to property (not felonious), and dis-

[5]Legislation has now been passed coming into force during the present year which will relieve the Courts of these Workmen's Compensation cases, thereby reducing very materially the percentage of jury trials.