the n r or any two justices of the peace; but if the offence was committed in any city or town not having a police magistrate, then before the mayor thereof or before any two justices of the peace. The majority of the Court held that the commission to a police magistrate, constituting him Police Magistrate for the County, did not, without including the towns by name, extend his authority to towns in the County, even if such towns had no police magistrates of their own at the time. This decision was followed in *Reg.* v. *Bradford*, 13 O.R. 135, by Mr. Justice O'Conner, who was one of the judges forming the majority of the Court which decided *Reg.* v. *Young*. The case of *Reg.* v. *Young*, however, was not followed in May, 1888, in the Queen's Bench Divisional Court, Armour, C.J., who dissented in *Reg.* v. *Young*, adhering to his earlier view and stating that the late Chief Justice Wilson had authorized him to say that he had become convinced that the opinion he (the Chief Justice) had formed in *Reg.* v. *Young* was wrong, and that the dissenting judgment was right. Falconbridge and Street, JJ., concurred with Armour, C.J., so that the Queen's Bench Division may be said to have reversed their earlier decision. In *Reg.* v. *Orr*, 16 O.R. 1, the Chief Justice went further, and held that if a police magistrate were appointed for a County, and another police magistrate for a town within the County, an offence committed in the town could be adjudicated upon by either police magistrate, but that the Town Police Magistrate, so long as there was a Police Magistrate for the County, could only act within the territorial limits of the town, while the County Police Magistrate could exercise his jurisdiction anywhere in the County, including the town.

In 1887 the Common Pleas Division in *Reg.* v. *Lee*, 15 O.R. 353, held that a police magistrate whose commission was for the County of Brant, excluding the City of Brantford, could institute and try an offence committed anywhere in the County outside of the City of Brantford sitting in the City of Brantford, although that city, like Toronto, had its own police magistrate. In 1891, in *Reg.* v. *Gulley*, 21 O.R. 219, it was held that a Police Magistrate for a City could try in the City an offence committed in the County, and that in so acting, in a case under the Liquor License Act, he was, by virtue of his office of police magistrate, expressly qualified by s. 21 of the Police Magistrates' Act (now s. 30), "To do alone whatever is authorized by any statute in force in this province relating to matters within the legislative authority of the Legislature of the Province to be done by two or more justices of the peace."

Now, in the present case, Mr. Ellis as a police magistrate could have tried this case at Toronto Junction, not by virtue of his territorial jurisdiction as police magistrate, but by virtue of his being a Justice of the Peace for the County of York ex officio, possessing the power of two justices of the peace. He has power to try a case arising in the County, sitting anywhere in the County, so far as the place of trial is concerned. In my opinion, his jurisdiction to try a County case sitting in the City of