

COUNTY COURTS, &c.

In *Ontario* the Courts of more limited jurisdiction are the County Courts and the Division Courts, the former having jurisdiction subject to certain exceptions over personal actions, not exceeding \$200, unliquidated damages, and \$400 when the damages are liquidated, and by 23 Vic. chap. 43, in actions of ejectment, when the annual value of the premises does not exceed \$200.—The latter (being subdivisions of the County) with certain exceptions to personal actions of \$40, and money demands of \$100.

In *New Brunswick* they are the County Courts having jurisdiction (subject to certain exceptions similar to those in *Ontario*), in actions *ex contractu* to \$200, *in torts* to \$100, but no right to try ejectment.

And the Magistrates' Courts, the latter having jurisdiction in actions *ex contractu* to \$20, *in torts* to \$8.

The City Court of Saint John has an exceptional jurisdiction of its own.

In *Nova Scotia* there are no County Courts, but the Magistrates' Courts have jurisdiction for the recovery of debts. One Justice when the debt does not exceed \$20; two Justices when the whole does not exceed \$80, the jurisdiction being confined to the County where the debt has been contracted, or the defendant resides.

In *Ontario* the Senior Judge of the County Court is *ex officio* Judge of the Surrogate Court.

In *New Brunswick* and *Nova Scotia* the Surrogate Judge of Probates is appointed directly to that office by the Lieutenant-Governor in Council.

PROBATE COURTS.

In *Ontario* the Surrogate Court may order any question of fact arising in any proceeding before it, to be tried by a Jury before the Judge of the Court, when such trial would take place in the County Court in the ordinary manner.

In *New Brunswick* and *Nova Scotia* the Probate Courts have no such power.

COURT OF DIVORCE AND MATRIMONIAL CAUSES.

In both *Nova Scotia* and *New Brunswick* "the Court of Divorce and Matrimonial Causes," has full powers to dissolve marriages "*a vinculo matrimonii*," to declare the same null and void, and to hear and determine all causes, suits, controversies, matters and questions touching and concerning marriages.

In both Provinces the Court is a branch of the Supreme Court, and presided over by one of its Judges.

In *New Brunswick*.—Appointed specially for that purpose by commission under the Great Seal, and being the only Judge constituting that Court, the law vesting no power in the Government to appoint any other judge or person, to act *pro hac vice*, or in his illness or absence.

In *Nova Scotia* it is presided over by the Judge in Equity for the time being, who is for that purpose termed the Judge Ordinary, and becomes *ex officio* the Judge of that Court; During his illness or temporary absence, or in cases where he may be disqualified from acting in any cause (Act 1870, chap. 22), the Lieutenant-Governor has power to appoint under his hand and seal, the Chief Justice, or one of the other Judges of the Supreme Court to act as Judge Ordinary in his place.

In both Provinces powers are given to the Court to enforce its decrees, and in cases of divorce on the ground of adultery, to determine whether the wife's right of dower, or the husband's tenancy by the courtesy shall be divested or not.

In *New Brunswick* the ground of divorce *a vinculo*, are limited to impotence, adultery and consanguinity within the degrees prohibited by the 32 of Henry the 8th, "touching marriages and pre-contracts."

In *Nova Scotia* they include the above, and are extended to cruelty and pre-contract.