

## THE ADMINISTRATION OF JUSTICE ACT, 1873—DIVISION COURT ACCOMMODATION.

the Common Law Procedure Act with reference to matters contained in the said Act : and the judges of the Superior Courts of Common Law, or any three of them, of whom one of the chief justices shall be one, shall have the like power of making general rules or orders, with reference to matters contained in this Act, as are conferred upon them by the three hundred and thirty-ninth and three hundred and fortieth sections of the Common Law Procedure Act with reference to matters therein contained ; provided that it shall not be necessary that any general rules or orders made under the powers conferred by this Act, or any general rules, orders, or regulations hereafter made under the powers conferred by the Common Law Procedure Act be transmitted to the Governor, in the manner directed by the three hundred and thirty-fifth section of the last mentioned Act.

56. When the judge of the county court, or the junior or the deputy judge (as the case may be) officiating in the office of county court judge, is present, it shall not be necessary, in order to constitute a court or sittings of the general sessions of the peace, or a quorum at any sittings thereof, that any associate or other justice of the peace should be present at such court or sittings.

57. The judge of every county court, or the junior or deputy judge thereof, authorized to act as chairman of the general sessions of the peace for any county, is constituted a court of record for the trial, out of sessions and without a jury, of any persons committed to gaol on a charge of being guilty of any offence for which such person may be tried at a court of general sessions of the peace, and for which the person so committed consents to be tried out of sessions, and without a jury ; and the court so constituted shall have the powers and duties which the Act passed in the session of the Parliament of Canada held in the thirty-second and thirty-third years of Her Majesty's reign, and chaptered thirty-five, purports to give, so far as the Legislature of this Province can give the same ; and every judgment, proceeding, act, matter, or thing heretofore had or done under or by virtue of the said Act, shall be held to be as valid as if the said Act had been an Act of the Legislature of this Province.

58. The court constituted by the preceding section shall be called "The County Judge's Criminal Court" of the county in which the same is held.

59. In addition to the sittings of the courts of general sessions of the peace and of the county court of the County of York, now held in and

for the County of York, there shall be held in each year a fourth sittings thereof respectively, to be held on the second Tuesday in September of each and every year ; and the sittings of the said general sessions of the peace and of the county court of the County of York now by law directed to be held on the second Tuesday in the month of June, shall be held on the second Tuesday in the month of May, including the present year, and all provisions of law relating to jurors and juries, and other matters shall apply to such additional and altered sittings respectively, in the same manner as to the present sittings heretofore held of such courts respectively.

62. Section five of the twenty-seventh chapter of the Consolidated Statutes for Upper Canada is hereby repealed, and the following substituted therefor :

(5.) Such notice may contain any number of modes in which title is set up : Provided always that the opposite party shall be at liberty to apply to the court or a judge to strike out any mode upon the ground of embarrassment or delay ; and at the trial the claimant shall be confined to proof of the title set up in the notice ; but the claimant shall not be required to set out in such notice the date or particular contents of any letters patent, deed, will or other instrument or writing which shows or supports his title, or the date of any marriage or death, unless it be specially directed by order of the court or a judge.

63. The Lieutenant-Governor in Council may appoint that sums not in any case exceeding six hundred dollars nor less than one hundred dollars yearly shall be paid out of moneys to be hereafter voted by the Legislature for this purpose, as and for the salaries of the deputy clerks of the Crown respectively.

#### DIVISION COURT ACCOMMODATION.

It is satisfactory that provision has at length been made respecting Division Court accommodation. A clause in the Consolidated Municipal Act, which has just been passed, makes it the duty of Municipalities in which Division Courts are held to furnish a Court Room and "necessary accommodations" for holding the Court, *not in connection with any Hotel.*

Hitherto when Municipalities did not