

## EDITORIAL ITEMS—THE ADMINISTRATION OF JUSTICE ACT, 1873.

that Mr. Dorion, Q. C. (of the Canadian Bar), appeared for the respondents. It appears from the report (*Herse v. Dufaux*, 21 W. R., 313,) that he was accorded precedence in like manner as is granted to members of the English Bar who wear silk. It is worth while noting the fact that the English Judges respected the dignity conferred by the Colonial Government, and granted pre-audience to Mr. Dorion in consequence thereof.

In the Colony of Victoria, the Parliament, finding that a salary of £2,600 was not sufficient to secure the best legal talent for the Bench, has raised the salary of Puisne Judges to £3,000 and that of the Chief Justices to £3,500. Here is an example which may well be imitated in the Dominion of Canada. We are glad to notice from the remarks of Sir John Macdonald and the concurrent observations of Mr. Blake, that the attention of both sides of the House has been called to the question of making some addition to judicial salaries, and we trust that the Session will not be allowed to pass without an amendment of the law in this respect.

We are comforted by observing, in a Philadelphia exchange, an advertisement of the Law Librarian requesting the return of missing books, in number about one hundred and fifty. The Librarian of the "City of Brotherly Love" puts it very nicely indeed, by requesting gentlemen who have borrowed books from the Library to examine their book-shelves and return any volumes that may have been overlooked theretofore. The pilferings from the Law Library in this city were at one time tolerably extensive, but by the admirable supervision of Mr. Esten, the present librarian, the loss of a volume is becoming quite an exceptional occurrence.

### THE ADMINISTRATION OF JUSTICE ACT, 1873.

The Administration of Justice Act is now on the statute book, and we believe it will effectually serve the purpose for which it was designed. Several alterations in the Bill as published by us were made in committee before it finally passed, some clauses were added, one was struck out, and the numbering of the clauses was in part changed. The following sections (according to numbering in *bill*) passed without alterations, viz:—1 to 12, 14 to 16, 19, 20, 22, 27, 29, 30, 32, 34, 39, 41, 43 to 45, 47 to 55, 57 and 58. All the other sections are altered, some of them very materially. There will be ample time for the examination of all the sections, for the body of the Act does not come into force till the 1st January, 1874. There are nine sections which come into force at once, viz:—46, 47, 51, 56, 57, 58, 62, 63, and so much of 59 as relates to County Court sittings in September. These we subjoin. The numbering is as in the Act:

46. All issues of fact and assessments of damages in actions in any county court may be tried and assessed at the sittings of assize and *nisi prius* for any county other than that in which the venue is laid, upon an order being obtained for that purpose; and such order may be granted upon similar grounds to those upon which an order changing the place of trial would be granted in the superior courts of common law.

47. In case of there being a junior judge for the county, such junior judge may preside over all or any of the courts of the county, when the senior judge is not present, and shall, as regards any such courts, have the same duties, powers and authority as the senior judge.

51. The judges of the Superior Courts of Common Law, or any four of them, of whom the chief justices shall be two, shall have the like power of making general rules or orders for the effectual execution of this Act, as are conferred upon them by the three hundred and thirty-third, three hundred and thirty-fourth and three hundred and thirty-eighth sections of