

DIARY FOR JULY.

- 1. Mon.. *Dominion Day.* Long Vacation begins.  
County Court Term begins.  
Heir and Devisee Sittings commence.  
Last day for County Council to equalize assessment rolls.
- Last day for County Treasurer to certify taxes due on occupied lands.
- 6. Sat... County Court Term ends.
- 7. SUN.. *6th Sunday after Trinity.*
- 14. SUN.. *7th Sunday after Trinity.*
- 15. Mon.. *Switthin.*
- 16. Tues.. Heir and Devisee Sittings end.
- 21. SUN.. *8th Sunday after Trinity.*
- 24. Wed.. *St. James.*
- 28. SUN.. *9th Sunday after Trinity.*

CONTENTS.

DIARY FOR JULY .....	157
CONTENTS .....	157
EDITORIALS:	
Chief Justice of Ontario.....	157
Nisi Prius references .....	157
Deputy Masters and Registrars in Chancery .....	157
Retirement of Lord Hatherley .....	158
Stubborn Jurymen .....	158
Law Society of Ontario—	
Resumé of the Proceedings in Convocation in	
Easter Term, 1872.....	158
Courts of Appeal in England and the Colonies ..	160
SELECTIONS:	
Powers of Provincial Legislatures .....	162
Court of Appeal for Australasia .....	168
The Tichbourne Case .....	169
CANADA REPORTS—ONTARIO:	
COMMON LAW CHAMBERS:	
Lawrie et al. v. McMahon—	
<i>Insolvent Act, 1869, sec. 134—Appeal—Death of</i>	
<i>Insolvent</i> .....	171
Harper v. Smith—	
<i>Change of Venue</i> .....	171
ENGLISH REPORTS:	
COURT OF EXCHEQUER:	
Brown v. Great Western Railway Co.—	
<i>Action of tort—Particulars</i> .....	172
UNITED STATES REPORTS:	
SUPREME COURT OF ILLINOIS:	
Illinois Central R. R. Co. v. Jesse L. Abell .....	172
DIGEST OF ENGLISH LAW REPORTS FOR NOVEMBER AND DECEMBER, 1871, AND JANUARY, 1872	
173	
APPOINTMENTS TO OFFICE—	
Deputy Judges .....	184
County Attorneys.....	184
Registrars .....	184
Notaries Public.....	184
Coroners .....	184
AUTUMN ASSIZES .....	184

THE  
**Canada Law Journal.**

JULY, 1872.

We are glad to see the Chief Justice of Ontario home again, and looking all the better for his holiday.

We clip from the English *Law Journal* a paragraph relating to Nisi Prius references, every word of which is applicable to our system, in the hope that some of our many legal members of Parliament may frame some fitting legislative remedy:

“There is nothing incident to the proceedings of a court of law more unsatisfactory than the process of referring a cause to arbitration at Nisi Prius. The witnesses have come from a distance, the attorneys are in attendance, the counsel have had their fees paid. Gradually, however, as the leading counsel for the plaintiff opens his case to the jury, the newspaper rises higher and higher before the judge’s face, till at last his Loreship is entirely hidden from view—a sure sign that the case will ultimately be referred, and the parties have to begin over again. Judges are in the habit of saying that they are justices of a Superior Court, and not public accountants, and therefore they will not try certain cases. But as the law now stands, if both parties to an action desire it to be tried in the ordinary way, a judge and jury often stand very much in the position of accountants. Moreover, the evil is not simply the almost entire waste of the costly proceedings previous to the day of trial. The arbitrator appointed is probably a man with a hundred other things to do, who gives the reference a day in one week and a couple of hours in the next, till, as the case drags on, the unfortunate litigant thinks the arbitrator, who delays his case, rather more vexatious than the judge who refused to try it. Such a state of things surely calls for an amendment of the law.”

It is well that prominence should be given to one of the unwritten rules of the Court of Chancery, which the Chancellor adverted to in *McLean v. Cross*, 3 Ch. Cham. R. 440: this, namely, that local Masters and Registrars are not to practice their profession in partnership with any solicitor who is at the time a practitioner in Chancery. They are not to do this even although they may not actually share in the emolument of suits. The reason is obvi-