

when we have heard so much of the evil practice too frequently resorted to at Petty Sessions, of leaving much of the work, legally entrusted to the justices, to be dealt with by the magistrate's clerk, how great is the present dissatisfaction of the suitor where the judicial business in a County Court is neglected by the judge, and, as far as the law allows, delegated to the registrar, it is altogether impossible to justify the Judges of the County Courts, being legally allowed to delegate to the registrars so large a portion of their judicial functions as Mr. Daniel here proposes.

The great object of the institution of local courts is to secure the efficient administration of justice as near as possible to the scene of litigation. It would not be tolerated at this early period of the reformed system of County Courts that, under any such pretext as Mr. Daniel affords, the stream of justice should be allowed to flow back from the course of localization to that of centralization—and it is indeed difficult to make out how it would be any compensation to the community for losing the speedy and effectual administration of justice on the spot to have a lesser number of judges sitting in greater dignity, and with more pay, at a distance.

The suggestion that has been of late so frequently made, and is adopted by Mr. Daniel, that the jurisdiction of the County Courts as Civil Courts of First Instance should be extended, is entitled to far more consideration. The number of civil causes tried on circuit is becoming every year smaller. To make the County Court Judges assistant to, if not substitutes for, the judges of assize, in a large number of cases, reducing the number of circuit towns, instead of, as Mr. Daniel suggests, the number of places for holding local courts, would be an unmitigated advantage. The County Courts, with all the defects inherent in a system built up by patchwork legislation, are a valuable institution—let us increase their jurisdiction, but not on any pretence take away the boon conferred on the public of supplying justice in small cases, as in large, speedily and effectually, in the very district where the litigation arises.

The justice now administered in civil cases, however, forms but an inconsiderable part of that which the community require. To really bring home justice to every man's own door it is necessary to look beyond this. The wrongs that are every day suffered, the grievances to be redressed, especially among the humbler classes, can be but ineffectually dealt with by any mere improvement in our forms of action and civil procedure. The complaint may involve a criminal charge, the character, the happiness, the well-being of individuals or of classes, to whom the redress, by a formal action at law, is a mere mockery. Wherever a criminal charge is involved, the parties who stand as accusers and accused have a more serious issue raised than that which arises in ordinary civil actions. To each of them the dealing with the charge legally, justly, and at

once, and on the spot, is of far more importance than the having civil remedies supplied for mere debts or money demands. To the mass of the people the only justice they are accustomed to look to now, is that which is dealt out to them in the magistrates' courts. If the jurisdiction in criminal matters, and in the large range of cases which are now entrusted to the magistrates, were as carefully legislated for as the recovery of debts, the humbler classes would feel more respect for the law, and would more rarely seek to be their own avengers; and the whole community would be altogether more benefitted than by any mere reforms in civil procedure. Is it not practicable to effect reform equally efficacious in the local procedure with respect to the one branch of justice as to the other?—so to reform our system of administering justice in the great range of matters which now come within the jurisdiction of justices of the peace, and in matters of a kindred character, as to make dealing out law to the masses seem more like the simple administration of justice.

It would be a work of interest to show how the old Anglo-Saxon system of local justice, which in civil cases has in our times been, to a great extent, restored by the revival of the County Courts, and which existed in no less force, certainly with respect to criminal cases, came step by step to give way to innovations, more or less, of Norman growth—how, long after the newer institutions had been generally established, the earlier plant continued to be cherished in our ancient cities and towns, whose charters and ancient customs upheld the privilege of having justice in criminal as well as civil cases administered in local courts; and how, in spite of the spasmodic efforts of the Legislature to provide, by a heap of Statute Law, for the difficulties which the substituted institutions have occasioned, the administration of justice in criminal cases and in our magistrates' courts is still left altogether uncertain, confused, and unsatisfactory. It is not practicable to pursue this topic now—we have only to point out that there seems no good reason which is applicable to the question of reform in the administration of justice in civil cases, which does not, with at least equal force, prevail with respect to criminal cases; no reason why, if the revival of the ancient system of County Courts has answered in the case of the one, a similar reform might not be advantageously effected with respect to the other; why we could not have tribunals of First Instance, for the speedy and satisfactory disposal of the whole criminal business of the country within each of the present County Court districts, as well as the County Courts in their present form; why a County Court Judge sitting alone, or as president of the assembled magistrates, could not do all this (with a jury, of course, in those cases where a jury is now required), as effectually as a judge or commissioner on circuit, as the chairman of Quarter Sessions, or a Bench of Justices at Petty Sessions. It