

COMMON LAW CHAMBERS.

DIARY FOR OCTOBER.

3. SUN. *19th Sunday after Trinity.*
 10. SUN. *20th Sunday after Trinity.*
 15. Frid. Law of England introduced into Upper Canada
 1792.
 17. SUN. *21st Sunday after Trinity.*
 18. Mon. *St. Luke Evangelist*
 24. SUN. *22nd Sunday after Trinity.*
 28. Thur. *St. Simon and St. Jude.*
 30. Sat. Articles, &c., to be left with Secretary Law Soc.
 31. SUN. *23rd Sunday after Trinity.* All Hallow Eve.

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COMMON LAW CHAMBERS.

Regularly as the Spring and Autumn Circuits come round, the troubles of those who are in any way connected with proceedings before the Judge in Chambers begin. Suitors blame their attorneys for delays in their suit, and consequent loss to them. Country attorneys blame their Toronto agents for supposed neglect of their business, or slipshod unsatisfactory settlements of pleadings or matters of practice. Agents and practitioners in Toronto are at their wits-end to keep track of the movements of the judges, so as to be able to make or answer motions. Hearing, perhaps, that the judge is to be at Chambers in Osgoode Hall, they rush there frantically to find no one, and then dodge into the Court House to find perhaps, that an order has been made against them in their absence. The judge holding the Toronto assizes thinks it hard that he should commence a fatiguing day's work on the Bench by hearing the Chamber business from nine until ten o'clock in the morning; and again, a judge returning from a distant circuit, for perhaps a few days, thinks he might have a little rest and leisure to attend to his own affairs after, perhaps, a long absence from home on public business.

But still the work must be done, and somebody must do it. It is of course as matters now stand, the duty of the judges to do it between them. That it is often done unsatisfactorily, when it devolves on the judge holding the Toronto Assizes, is a matter of necessity, as he has to scramble through it at a head-long speed, to be able to attend to his duties on the

Bench. If it is thought that there is another judge in town who may hold Chambers at Osgoode Hall, the natural desire is to take the business before him; and perhaps some twenty persons, lawyers from the country, Toronto lawyers or lawyers' clerks, after waiting for one or two hours, find that no second judge is in town, or if there is, he does not come to the Hall. Valuable time, very many hours in the aggregate, of the best working time of the day, is thus lost to practitioners, whose time is essentially money; and very often cases are thrown over to another Assize, to the pecuniary detriment and annoyance of the parties to the suit, perhaps resulting in the loss of the debt. We do not say that this is anyone's fault, but it is to many a source of annoyance, trouble and loss. One would scarcely think it necessary to mention it, were it not that it is the fashion for some persons to ignore the importance of Chamber business, that the due preparation of cases for trial and the routine work in Chambers are scarcely inferior in importance, except in reference to the attendant expenses, to the trial of cases at the Assizes.

One of two things must be done or the public business will continue to suffer, for time works no change for the better. Either the judges must so arrange their circuits, if that be possible, so that there may always be a judge in town to hold Chambers, in addition to the judge presiding at the Toronto Assizes; or else the Legislature must make some other provision for the transaction of the business, by appointing, or authorising the judges to appoint some person to decide cases in Chambers, when it is impossible or inconvenient for the judges to attend. How this is to be done is unfortunately not very clear, and there are formidable difficulties to the suggestions which present themselves. If a barrister in good practice, and none other would be fit for the work, should be appointed, it would interfere with his business. An extra judge, the most natural mode of meeting the difficulty, would entail expense which might be objected to, even if minor difficulties as to his position with respect to the other judges, and his other duties as a judge would be satisfactorily arranged. There is, however, a "wrong," and a "remedy" must be found.