

DIARY FOR SEPTEMBER.

1. Fri. *St. John's*
2. Sat. County Court Term (York) ends.
6. SUN. *13th Sunday after Trinity.*
8. Fri. *Nativity of the Blessed Virgin.*
10. SUN. *14th Sunday after Trinity.*
21. Tues. *St. Matthew.*
17. SUN. *15th Sunday after Trinity.*
27. SUN. *16th Sunday after Trinity.*
29. Fri. *St. Michael.*

The Local Courts'.

AND

MUNICIPAL GAZETTE.

SEPTEMBER, 1871.

LAW REFORM COMMISSION.

The following gentlemen have been appointed Commissioners to inquire into and report upon the present jurisdiction of the several Law and Equity Courts of Ontario, and upon the modes of procedure now adopted in each, and upon such other matters and things therewith connected as are set out in the commission:—
 Hon. Mr. Justice Wilson, Hon. Mr. Justice Gwynne, Hon. Vice-Chancellor Strong, His Honor Judge Gowan, and Mr. Christopher Patterson, Barrister. Amongst other matters, they are to consider the advisability of a fusion of Law and Equity, and to suggest a scheme for carrying it into effect.

We have heard it remarked that there is an undue preponderance of Common Law men on the Board; but this objection can scarcely be said to be well-founded when we remember that Mr. Gwynne, though now on the Common Law Bench, for many years devoted himself principally to Chancery business, and was for some time a student in the office of Mr. Rolt in England; and again Mr. Gowan, so far as he represents a class, must be looked upon as a representative of the Division Court system, in which courts, justice is to be administered according to "equity and good conscience." Even if there is anything in the objection it must be remembered that the Commission will embrace other subjects than the fusion of Law and Equity, some of which would seem to require greater knowledge of procedure at law than in Chancery.

As to the qualifications of the several members of the Commission, especially for that branch of it to which we have particu-

larly referred, the selection has been most happy. Judge Wilson, who is to be Chairman, is a man of most patient industry, great research and comprehensive mind, and will give the matter no light attention, and with his coadjutors may be relied on to investigate the subject thoroughly. Judge Gwynne, from his intimate knowledge of both systems, practically as well as theoretically, will be especially competent to form a correct opinion as to their relative merits, whenever it may be necessary to contrast the two, and what can best be taken from each to form a complete whole; and he will enter upon the discussion free from any supposed bias of either system, natural enough to those who have devoted themselves almost entirely to one of them. Than Vice-Chancellor Strong, no man is more competent to explain the theory and practice of that Court, which has been a witness of his intellectual power and learning. Mr. Gowan has long enjoyed the confidence of and given great assistance to successive administrations in various ways, and has an increasing reputation. No person in Canada has such intimate knowledge as he of the theory and practical working of the Division Court system, which is really the nearest approach at present to a fusion of law and equity, albeit the notions of some of its judges as to equity are of the crudest. And to conclude, the reputation of Mr. Patterson at the Bar, is very high; without the showy qualities of some others, he is known to be a man with broad views of things, and of much learning and industry, and will be a most useful element in this Commission.

It may be a question, however, how far it is advisable for the Commission to mature any scheme for the consolidation or alteration of any of the Courts as at present existing, until some decided step has been taken in England, where a similar subject has received the careful attention of a most intelligent and learned Commission for some time past. There is no such necessity for an immediate revolution in our Courts, even admitting, for the sake of argument, that a change is advisable, as to warrant any hasty action, whereby we should lose the benefit to be derived from the light to be thrown on this most difficult subject in England.