

## LAW BILLS OF LAST SESSION.

the bill as originally introduced, and is to be found at page 173 of this volume.

6. An Act to amend the Common Law Procedure Act. This was also printed by us, as introduced, (p. 171,) it will not therefore be necessary to give it again; but it is to be observed, that the fifth section of the bill, as introduced, relating to sheriff's poundage, has been struck out. This section was evidently designed to relieve sheriffs from what they considered to be the injustice of depriving them of their poundage, after a levy had actually been made, and the writ satisfied under pressure of the writ, though not directly by the action of the sheriff, according to the doctrine laid down in *Buchanan et al. v. Frank*, 1 U. C. L. J., N. S. 124, and other cases; the amendment being intended to bring the rule back to that given by Mr. Justice Burns in *Morris et al. v. Boulton*, 1 Cham. Rep. 60. The Legislature, however, did not see it in this light, being somewhat influenced, it is said, by considerations which should not have affected their judgment. The amendment is needed in the interest of sheriffs, and would not, we think, unduly prejudice suitors. The second section of the act provides for the recovery of interest on claims after verdict, instead of after judgment, as formerly, thus getting rid of a difficulty often felt by practitioners, but which reached its climax when it touched such an immense sum as was in litigation in the *cause celebre* of *The Commercial Bank v. The Great Western Railway Company*.

7. An Act to amend the law of Upper Canada relating to Crown debtors. This was passed as introduced. It puts the Crown in the same position as regards its debtors, (so far as bonds and other securities referred to in Con. Stat. U. C. Cap. 5 are concerned,) as an ordinary creditor. It is doubtless all very well that the Crown as representing the public should be protected, but there is a limit to everything, and the public would be more conveniently by the repeal of this act than the reverse.

8. An Act respecting persons in custody, charged with high treason or felony—another measure to ensure the safe keeping of those afflicted with the Fenian disorder or otherwise dangerous to the well being of the state.

9. An Act for more effectually securing the liberty of the subject. This is an important addition to the Statute Book and is taken from

the English Act with some additions and alterations. We had intended giving a copy of it, but want of space forbids. The effect of it is to extend the remedy given by the writ of *Habeas Corpus*, and it makes provision for the more effectual and easy relief of parties in custody.

10. An Act to amend the law in respect of view by jurors. This provides that a view by jurors in civil and criminal cases may be had out of the County or Union of Counties in which the venue is laid, and it repeals sec. 124 of Con. Stat. U. C. Cap. 31.

11. An Act to amend the law respecting the appointment of Recorders.

12. An Act to amend the Act respecting the administration of justice in the unorganized tracts.

13. An Act to amend the law respecting appeals in cases of summary convictions and returns thereof by justices. These last three are not of much interest to the profession, a remark which does not apply to the last of this series that we shall notice, that is to say:—

14. An Act to amend the act respecting attorneys-at-law, a copy of which has already been given to our readers (p. 173.) The Benchers have had the subject referred to in this act, that is to say the new scheme for reporting, before them this term for discussion; but of this more anon.

The Act of most general importance perhaps to the country at large is the Municipal act. We are not, we are sorry to say, in a position to give any thing of a *resumé* of it at present, having been unable as yet to obtain a copy which can be relied on as correct, owing to the corrections and alterations that have been made in it. Of a cognate nature is the act to amend and consolidate the assessment acts. Farmers and others in that line will be interested doubtless in an amendment of the act for the protection of sheep which can only be said to be of remote interest to the profession. Office-seekers in general, and office-seekers amongst the lawyers in particular, will be more interested by the act to complete the separation of the County of Peel from the County of York. There seems to us to be but little use in the separation of Peel from York except the formation of a few more offices; but the separation is an accomplished fact, and it only remains for us to hope that