The Evening Mercury

MONDAY EVE'G., DECEMBER 30.

There seems now to be no doubt that the Judicature Act of 1895, the Law Courts Act of 1895, and the new Rules of Court framed for the purpose of carrying out and extending the provisions of these Acts, will come into force on the 1st of January.

Hitherto, the Divisional Ceurt, consisting of these budges, the last step before

Hitherto, the Divisional Court, consisting of three judges, the last step before reaching the Court of Appeal, sat only once during each term, or three times a year. Now there will be a sitting every month, except during long vacation, and beginning the first Monday of each month. Heretofore, if a case were going on in a lower court, during the sitting of the Divisional Court, if appealed, it would stand sometimes for months, and when brought up had to be heard by the Divisional Court in the division in which it was first entered. That also is changed. The Divisional Court of the future will not, as now, be composed of judges of any one division, but of any three of the ten High Court judges, and cases shall then come before this court, irrespective of what division they may have been entered in. Another thange that is spoken of is that in the past an appeal from the County Court was the court of the last of the county court was the court of the county court was the court of the last of the county court was the court of the county court was the court of the court of the county court was the court of the county court was the court of the court o change that is spoken of is that in the past an appeal from the County Court count only be heard by the Court of Appeal, but henceforth it is intended that the Divisional Court shall hear it, and the decision in this case will be final. There may be a material reduction in the amount of security for costs (\$400) hitherto required in appeals from the Divisional Court.

We now seem to be getting common

One more reform could be effected, sug-One more reform could be effected, suggests the London Advertiser. Why not every unnecessary word be dropped from every legal document? Simplicity and time-saving are the necessities of the age in law ag well as in overything class.

The Toronto Week referred very seri ously some time ago to the probability of war between Britain and the States, owing to the hostility and jealousy of large masses of the Americans towards

of war between Britain and the States, owing to the hostility and jealousy of large masses of the Americans towards Great Britain. It considers recent events confirm its views, and reviews the situation, concluding as follows:

"The Americans are a proud and sensitive people, and their President and his advisers have cunningly placed them in such a position that to withdraw means the world's ridicule, and that they cannot and will not stand. The alternative with them now is, 'My courtry, right or wrong.' We have only to put ourselves in their place to judge what their answer will be. Our people must not be deluded. In 1856 as in 1812, the New England States are protesting. In 1812 their protests we man was a single state of the people of Boston and some isolated New England papers are commencing to hesitate, do not let England or Canada imagine that the polley of exasperation will not be followed out. We warn our readers as we warned them before. They must be prepared to face the worst. A most serious element in the compleation is that the United States may not be single-handed. Do not deceive yourselves. Canadians, or Englishmen, or this head. The cost has been counted and the lines laid. England's friends are few. It may be only a very short time before news is received from the East as startling as Cleveland's message. Canadians have been like people living on the clopes of Vesuvus. They cultivate their vineyards in seeming forgetfulness of the sisteping fires beneath them. Alarmist editorials are out of ylace-in any journal such as is The Week except in the most extreme necessity. That necessity has arisen, and it would be criminal folly to close our eyes and ears to the gravity. The information we have is trustworthy and fits in "with the mar and in England has been satisface at the probability the present trouble will blow over, but it is folly to ignore. In all probability the present trouble will blow over, but it is folly to ignore.

In all probability the present trouble will blow over, but it is folly to ignore the meaning of the recent ebullition of the United States people towards Britain. A kindly attitude towards the States is the duty of all sane Canadians, and such will have its reward, but the words of The Week should not go unheeded. To say that war between the two leading nations of Christendom—a most horrible thought—is impossible, is to make the wish father to the thought. The possibility of war between the two nations, judging from the underlying temper of the American people revealed more clearly the last two weeks, is more a fac-A kindly attitude towards the ly the last two weeks, is more a fac-tor for consideration by Canadians than many of us had believed,

The Toronto Star says that when the McCarthyites heard that Mr. Marter was McCarthyffes-heard that Mr. Marter was, to oppose their candidate in Cardwell, one of the Stubbs men sent a note to Mr. Marter, felling him that if he apappeared at a Conservative meeting, the agreement which Mr. Marter made with the P. P. A. in North Toronto before the last general election would be read. Within two hours Mr. Marter had left Orangeville.

Last of a Famous Family.

One of the oldest and most celebramilies in the annals of Canada los

One of the oldest and most celebrated families in the annals of Cahada lost its last surviving member Thursday night in the death, in Hamilton, of Miss MacNab had lived in that city ever since the century was young. She was the oldest and one of the criginal members of Christ Church Cathedral, and the only one living for some years before the time of her Century Cathedral, and the only one living for some years before the time of her Century Cathedral, and the only one living for some years before the time of her Century Cathedral, and the only one living for some years before the time of her Century was porn on the 5th of June, 1802, at sea, between Hallfax and Quebec, on board the ship Mado on the Mill, Capital Macey, hence her name, Hannah Macey MacNab. She was therefore in her 9th year. She had enjoyed fair health for a woman of her great age up to exactly eight weeks before her death, when, in getting up in the morning, she fell and broke her hip. Shr Allan Napler MacNab was four years older than she whose body now lies cold in death. He was born in 1793 at Nilagara, and at the age of fifteen years volunteered for his country's service, and began to make the name which afterwards became so fannous. In the Thest year of his military carrect, when in mere boy, Shr Allan was made an ensign for his bravery. When the army was reduced in 1816 he was placed on half pay and took up the study of law, being called to the bar in 1825. In 1829 he was elected to Parliament, and was in nine successive Parliaments. He was knighted in 1888, was Prime Minister in 1854, and was created a baronet on his retirement from the office of Premeter in Scotland, and lived on a small entire the country of the parliaments. He was knighted in 1886 he died at the age of 65 years. His grandfather held the post of -Reyat-Forester in Scotland, and lived on a small entire the parliament, and was created a baronet on his retirement from the office of Premeter in Scotland, and lived on a small entire the parliament, and was created a baronet

borne.

The only surviving relatives are two of the daughters at the late Sir Allan MacNab, one the Duchess of Albernarie, who resides in England, and the other Mrs. Daly, at present in Italy.

William Lyon Mackenzie.

William Lyon Mackenzie.

(Toronto News.)

A writer in the Globe, who was evidently a Loyalist in the stirring times of 1837, proposes a monument to William Lyon Mackenzie. This proposal is not a new one, but is none the less laudable, and, coming from a Conservative source, is significant of the just sentiment which mutually prevalls with respect to sterling honesty and self sacrifice in public life. The strong contrast in this respect presented by Mackenzie's patriolic career with the utter selfishness of not a few in high places since his day is making itself felt as time goes on. The events of the last few years in Canada have made the Reform leader more appreciated than ever he was. The movement which he headed was less a movement against the Gouse and prostitution of it by men unworthy of the Queen's confidence. The rash and tyrannical Sir Francis Bond Head did more to goad the long-suffering people of Upper Canada into revolt than any man living at the time. Considering the persecutions to which Mackenzie was subjected in his long and brave struggle for popular rights and good government his moderation was marvellous. What popular leader of our day who could wield the power which he did would endure half as much as he under conditions as galling? Not one. By all means give him a monument. He well deserves it, if only because he hastened by many years the reign of responsible government, and taught, by -shining example as well as precept, the much needed lesson that fearless, unpurchassable independence in the people's service should be, as it too often is not, the highest alm and reward of political ambition.

Arguing the Sunday Car Case.

Arguing the Sunday Car Case.

Toronto, Dec. 27.—The suit of the Hamfilton, Branch of the Lord's Day Alliance
against the Hamilton Street Railway
Company came up for argument this
morning in the High Court of Justice
before Judge Rose. The proceedings, this
morning were a continuation of the hearing held before Judge Rose at Hamilton
recently, when evidence was taken.

Mr. Chas. Moss occupied the whole of
the morning in presenting the case of
the Millance. He claimed that the railway, unless protected by their charier,
in conducting a Sunday service were interfering with the comfort and convenience of the public and depreciating the
value **Of* property along the route on
which the cars ran. The company claimed their charter did not prohibit their
running cars on Sunday, but his reply
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the company the right to do what was
forbidden by the greenal law, and that
for run street cars on Sunday, a special
license of privilege was necessary. Mr.
Moss proceeded to quot consolvely from
authorities to support his contention that
the company came within the first section of the Act which defines the classes
of persons to whom the Act shall apply.

Though the case was reserved, it is believed, from the remarks of Judge Rose,
that the suit will fal.

The Armenian Situation.

London, Dec. 29.—The morning's papers will tomorrow print a letter from

London, Dec. 23.—The morning's papers will tomorrow print a letter from ex-Prime Minister Rosebery, dated Dec. 24. in which he says that he has been haunted by the horrors that have occurred in Asia Minor. Continuing, he says: "The country entrusted the printing with a dictatorship of the Ministry has threats which."

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