

## EDITORIAL NOTES.

ment remedied the evil he will have deserved the thanks of the community.

The most interesting part of the Report to the general reader is a return of Division Court business for the year ending November 30th, 1877. The Courts in the County of Wentworth (including Hamilton) can boast of having 4,468 suits entered, but they only collected \$35,186, whilst those of York (including Toronto), with about 4,800 suits, collected about \$56,000; Wellington, with about 3,600 suits, collected about \$43,000; Simcoe, with about 3,854 suits, collected about \$46,000; Northumberland and Durham, with 3,615, collected \$34,237; Bruce, with 3,527, collected \$38,991. The total number of suits entered, exclusive of transcripts of judgment summonses, were 73,374. The aggregate amount of claims entered was \$2,028,968, and the amount of money paid into Court was \$777,967. These figures do not include a number of divisions from which no returns were sent. There is a great difference in proportion between the number of judgment summonses in different counties, *ex gr.*, in York they were in the proportion of 808 to 4,215 suits entered; in Wentworth only 388 to 4,468 suits, &c.

The above figures give some idea of the importance of these Courts, and allow ample scope for those interested in the statistics to work out their own theories to their own satisfaction.

The criminal law is the same in every part of the Dominion. The law of evidence in criminal cases is also theoretically the same; but practically there is as much difference in the administration of justice in criminal cases in the Province of Québec and the Province of Ontario as there is between our Statute Law and the Code Napoleon. We have

lately read in the daily papers the report of a prosecution in the City of Montreal of certain alleged Orangemen. Whatever may have been thought of it in Quebec, it would in Ontario bother even a lawyer, to say nothing of a layman to understand what the private notions of Sir Francis Hincks as to whether Orangeism was objectionable or otherwise, or whether a green flag or an orange rosette was the more exciting to the average Celt, had to do with the prosecution of Mr. David Grant, who at that time, at least, had not even been shewn to be a member of the alleged secret society. To a lawyer whose studies have commenced with Blackstone and ended with the Criminal Statutes of Canada and a text-book on evidence in criminal cases, the proceeding is unintelligible and farcical in the extreme. Almost the only question of fact deposed to by this witness, appears to have been as to which was the shortest route from one spot in the city to another; any carman at the nearest cab-stand could probably have given more satisfactory evidence on the point. The whole thing is so incomprehensible to us in this Province that we cannot discuss it, but it does seem a pity that those who have in their hands the administration of criminal justice in the largest city in the Dominion should not be at some pains to understand something of the principles of evidence applicable to a criminal enquiry in a British Court of Justice.

It will be of some interest to note a decision of the Supreme Court of Indiana (*The State vs. Hood*, Chicago Legal News, 1877, p. 376), in connection with the case of *Reg. vs. Roy*, recently before our Court of Queen's Bench. In the former case, it appeared in evidence that the divorce was granted in Utah, in a