

at the will of the Local Authorities, and after no uniform plan—each Division constituting a Court. When a suitor in one County wishes to take proceedings against a resident in another, it is necessary to ascertain in what Court Division the debtor's residence is situated. How is the suitor to learn it? He may know the Township, Lot and Concession, or the Town or Village, in which the debtor lives, but he does not know to what Court Division it belongs. He may expect the Clerk of his own Division, who is to issue the Summons to the Clerk of the Division where the debtor resides, to be informed on the point; but, how is the Clerk to learn from the Lot, Concession and Township, or the name of the Town or Village alone—what is the Court or who is the Clerk, to whom the Summons is to be sent? He has in truth no other or better way of information than the suitor.

It was an omission in the Act of last Session that no means was provided for making these Divisions known, for the value of the clause permitting suits to be brought where the cause of action arose, is dependent on this knowledge. The Law is a dead letter without it.

It is plain, therefore, that to Officers and Suitors a complete Directory to the several Division Courts in Upper Canada, showing the limits and extent of each, and the names and Post-office address of the Officers, is essential to the working of this branch of the Division Courts Jurisdiction. We are willing to undertake the troublesome but useful task of supplying this necessity through the columns of the *Law Journal*, commencing in this number with the Counties of Huron, Bruce & Waterloo. When all the Counties are gone through, we intend publishing the whole list entire in Pamphlet form,—adding other information if deemed necessary, and appending, *if furnished to us gratis*, a list of Professional men, with their addresses, practicing in each Court.

The expenditure of money, time and labour incident to the production of such a Directory we assume, knowing its essential importance to all having business with the Courts; and we respectfully request the County Judges to examine the lists as published, and to point out any error or defect they may observe.

#### DEFECTIVE LEGISLATION—THE CHIEF JUSTICE'S ACT.

The most eminent English Lawyers, the *Law Times* asserts, are obnoxious to the charge of defective and blundering legislation. It appears that numerous defects and difficulties have been discovered in the "*Larceny Summary Jurisdiction Act*," and that there is a blunder in the "*Bill of Exchange Act*," which threatens practically to suspend its operation altogether.

We extract the following from the article referred to:—

"The truth must be told. The Lawyers have very little to boast of in their legislation. We have been accustomed to laugh at blunders in Acts of Parliament concocted by country gentlemen, merchants, and amateur law makers, and to conclude that if only Lawyers were allowed to construct laws, as well as to interpret them, they would not offer so many gaps for the cunning to creep through. Unfortunately during the last session of Parliament the Lawyers were intrusted with the settlement of two statutes of singular brevity, but of great importance. Neither of them fills four pages. Both were sent to Select Committees composed almost entirely of Lawyers, the most experienced the House could supply; they were scrutinised clause by clause; the combined wisdom of the Committee was directed to perfecting them. The parents of both of them were Lawyers. The Lord Chancellor was the author of one; Mr. Keating, Q.C., of the other; both being substituted for Bills having the same object, introduced by Lord Brougham. They did not pass without investigation by the Law Lords in the Upper House. Nevertheless, strange to say, both of them proved defective beyond the common measure of legislative floundering."

After all we Colonists do not err so much in the way of legislation: occasionally an Act is found so defective as to "provoke the public, and perplex the lawyers," but those Acts which have been prepared by our first-rate lawyers, and passed as prepared, are not open to such objections.

It does indeed sometimes happen, we admit, that Bills are passed through the House too rapidly for careful examination, and require afterwards to be amended or explained; but who can say of the many Acts which own the Chief Judge of Upper Canada as their author, that any one has required to be "doctored," either by Parliament or by the Courts to cure its blunders? On the contrary, the most important Laws have required the least amendment—the least needed judicial construction to explain them. We may cite the Act of U.C., 4 Wm. 4 ch. 1, (a *sixty clause* Statute) commonly known as the "Chief Justice's Act," as eminently illustrating the correctness of our assertion.

#### LAW REFORM—OBSOLETE STATUTES.

There is nothing so easy to talk about as Law Reform; but it is quite another matter to lay down practical suggestions for improvement in the law—specific descriptions of what should be done, and how it ought to be done. The Hon. Locke King has addressed several letters to the *Times* on Law Reform, which are rather severely handled in a late number of that Journal.

"Nothing," says the article we refer to, "could we discover, only windy declamation against defects which nobody denies. Nothing is so easy as to find out faults; the difficulty is, to devise such means of amendment as shall cure them, without making ten times more mischief than is cured. That is the objection to codification, which Mr. King so much desires. A code would be a good thing, but how are we to codify so as to exclude a conflict upon the construction of almost every word in the code? Would not the litigation it