"the words Superior Courts shall mean the Court of Queen's "Bench, the Court of Common Pleas, *and* the Court of "Chancery;" and that "the words *Superior Courts of* "*Common Law* shall mean the two former, and that Court "of Equity shall mean the Court of Chancery." In using therefore the words Superior Courts the Legislature employed an expression the definite meaning of which had been already legislatively fixed, and which in that sense is found mentioned throughout the whole body of our statute law. In other acts of the last session of Parliament the expressions are used in accordance with their defined meanings.

The word *either*, then, taking in the idea of the two Courts, and the particular two not being defined, unless two Judges of two Superior Courts acted together (which is not provided for), there would be no certainty that the one proposing to act was not a Judge of the third Court, not included in the jurisdiction conferred. We doubt, therefore, whether the clause can or ought to be acted on. We shall see But perhaps we are taking too serious a view of the matter, and after all that the Legislature merely intended to crack a joke with the Judges, taking care that if "my Lords" should take the thing in dudgeon that no one amongst them could certainly say the legislative joke was pointed at him. In that aspect, the Chief Superintendant had better bottle up his little "cases."

THE "INFERIOR JURISDICTION" OF THE SUPERIOR COURTS.

"Inferior Jurisdiction Cases" are abolished by the Act of last session, (cap. 42,) "*to repeal certain provisions of* the Common Law Procedure Act." Henceforth the several Courts will do their own work proper.

We are amongst those who thought there was no real value in the provision. Many instances occurred, in which suitors suffered severely both in time and pocket, in consequence of their claims being entered in "the Inferior Jurisdiction." We indicated a long time since, what was the true solution of "the three lists." Apart from the inconvenience and loss to the public, the Judges of the Superior Courts, already overburdened with work, had, at the whim or caprice of practitioners, a large share of business thrown upon them, a result that never could have been contemplated by the Legislature.

But the right to bring these suits was objectionable in principle, and ran counter to the steady current of modern legislation in favor of decentralization. We believe the time is fast approaching when any suit, whatever the subject matter, may be entered in the first instance in a local court, capable of course of being removed by *certiorari*, or, as is the case now in respect to actions against Justices of the Peace, subject to the defendant's right to object to the jurisdiction.

The 4th sec. of the Act furnishes evidence of the feeling in favor of the disposal of plain cases in the County Court, irrespective of amount, for it enables every case in which the amount of demand is *ascertained* by the signature of defendant to be transferred to the County Courts for trial; and this clause, if we rightly remember, was added to the original bill in the Upper House.

It would have been much more simple to have at once given primary jurisdiction to the County Courts in such cases, instead of doing it in a roundabout way. There can be no real distinction between a liquidated demand for $100 and $400—on a promissory note for example, when the powers to enforce the judgment, and the officers through whom it is to be enforced, are the same in both tribunals, Superior and Inferior.

The Act before us is a good specimen of the great and manifest improvement in the form of recent enactments. It harmonises with the excellent foundation we have in the consolidation (we had almost said code) for Upper Canada. It does not interfere with the order of provisions in the Consolidated Statute, and the alterations it makes are easily noted therein. Moreover, it is not defaced by that abomination of abominations, a long and illogical preamble, and no more words appear to be used (with the exception of sec. 4, which is rather verbose and ill arranged) than are necessary to convey the meaning.

Sec. 1, blots completely out of the Consolidated Statutes every provision respecting the "Inferior Jurisdiction." The plan of making a clean sweep in this way is the very best, and saves a world of doubt and difficulty in construction. A large proportion of the cases before our courts, upon the meaning of statutes, grew out of the plan of altering the law, and virtually killing off a number of provisions, but leaving them still upon the statute book—a parcel of rubbish to fructify litigation at the expense of unfortunate suitors. A common method was to add a general clause, providing that "all acts and parts of acts inconsistent with this act, shall be, and are hereby repealed"—a convenient mode certainly, for ignorant, lazy, or stupid persons, but not a method to which a man acquainted with his subject, and anxious to do it justice, would resort.

There can be no question that law practitioners alone are fully qualified to judge of the fitness of an act relating to the administration of the law, and so to shape it that it may harmonize with existing provisions—but as all men fancy that they know how to poke a fire or boil potatoes, so they all seem to fancy that they know how to frame all kinds of laws.