

DIARY FOR JULY.

- 1. Mon.. *Dominion Day.* Long Vacation begins.
County Court Term begins.
Heir and Devisee Sittings commence.
Last day for County Council to equalize assessment rolls.
Last day for County Treasurer to certify taxes due on occupied lands.
- 6. Sat.. County Court Term ends.
- 7. SUN.. *6th Sunday after Trinity.*
- 14. SUN.. *7th Sunday after Trinity.*
- 15. Mon.. *Swiithin.*
- 16. Tues.. Heir and Devisee Sittings end.
- 21. SUN.. *8th Sunday after Trinity.*
- 24. Wed.. *St. James.*
- 28. SUN.. *9th Sunday after Trinity.*

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The Local Courts' AND MUNICIPAL GAZETTE.

JULY, 1872.

The oft asked question as to who is a trader was recently discussed in the Court of Common Pleas, on an appeal from the judgment of a County Court Judge, who held that an innkeeper was not a trader within the Insolvent Act of 1869.

The Act is defective in not defining the meaning of the word "Trader;" and, in the absence of any statutory definition, the Court held that it had no power to give the Act a more extended meaning than its language would bear in ordinary acceptation. It was therefore decided that innkeepers do not come within the provisions of the Act of 1869, so far as taking any benefit therefrom as insolvents is concerned.

We clip from the English *Law Journal* a paragraph relating to *Nisi Prius* references, every word of which is applicable to our system, in the hope that some of our many legal members of Parliament may frame some fitting legislative remedy:

"There is nothing incident to the proceedings of a court of law more unsatisfactory than the process of referring a cause to arbitration at *Nisi Prius*. The witnesses have come from a distance, the attorneys are in attendance, the counsel have had their fees paid. Gradually, however, as the leading counsel for the plaintiff opens his case to the jury, the newspaper rises higher and higher before the judge's face, till at last his Lordship is entirely hidden from view—a sure sign that the case will ultimately be referred, and the parties have to begin over again. Judges are in the habit of saying that they are justices of a Superior Court, and not public accountants, and therefore they will not try certain cases. But as the law now stands, if both parties to an action desire it to be tried in the ordinary way, a judge and jury often stand very much in the position of accountants. Moreover, the evil is not simply the almost entire waste of the costly proceedings previous to the day of trial. The arbitrator appointed is probably a man with a hundred other things to do, who gives the reference a day in one week and a couple of hours in the next, till, as the case