

[Our columns are always open to free discussion on all points of interest to Division Courts, and we shall be happy to hear further from our correspondent and from any others who may desire to express their views on these or other points of interest.—Eds. L.C.G.]

Insolvent Act—Assignees—Boards of trade.

TO THE EDITORS OF THE LAW JOURNAL.

GENTLEMEN,—Under the Insolvent Debtor's Act official assignees are to be appointed by boards of trade. In this county it is proposed to inaugurate a board, and no statutory enactment exists, that I know, affecting such organizations. Hence I take it, if responsible parties meet and form a board, having rules, &c., a board legal enough to appoint official assignees would be created. Still I am in doubt whether a special act of incorporation ought not first to be procured, sanctioning, as it were, the board. Can you enlighten me? Several deserving insolvents wish to avail themselves of the Act, but want to do so in this county, so as to avoid the expense of going abroad to foreign assignees, having little enough to live upon.

Please answer me in your excellent journal,
Yours,

A SUBSCRIBER.

Guelph, Oct. 15, 1866.

[The Insolvent Act of 1864, sec. 2. sub-sec. 4, and sec. 3, sub-sec. 10, meet the difficulty by providing that the Board of Trade in each County, or "the nearest Board of Trade," may appoint official assignees in and for each County.—Eds. L. J.]

New Municipal Act — Elections — Police Magistrates.

TO THE EDITORS OF THE LAW JOURNAL.

DEAR SIR,—What is your view as to the provisions of the new Municipal Act, as to elections—say for towns? It seems to me clear, that next December the nominations for mayor, reeves and deputies must be made, and if various candidates are proposed, the election will take place in January. The 427th section seems to say so in the words that follow the words as to the time when the Act shall take effect, providing that so much of the Act as relates to the nominating of candidates for municipal office, &c., shall come into effect on the 1st day of November next.

There are doubts in many minds, also,

under the 371st section. It seems that it is now obligatory, that, in all cities and towns having a certain population, a police magistrate shall be appointed, who, under the 372nd section, is to hold office during pleasure. The old Act made it a matter of choice with the municipal council, who, on recommending that a police magistrate should be appointed by the Governor, could have that privilege, having to pay for it themselves, however. Now, however, His Excellency seems to have the right, in fact must make the appointment; and the salary will, I take it, be defrayed out of the public purse. This seems just, for many cases coming before any police magistrate in a town really did not originate in the town, but abroad. There are many other reasons why this seems correct.

Please oblige with your views.

AN ELECTOR.

Galt, Oct. 13, 1866.

[The provisions, with reference to the qualifications of both candidates and electors, do not come into force until the 1st of September, 1867, section 427 having been amended by Chap. 52 of the same session.

Sec. 427 seems clear enough except as to the exact meaning of the word "qualification," and as affecting this it has been questioned whether or not an elector having property in several wards is entitled to vote in each at the coming election. It is generally thought that he cannot, but we should not endorse that view without further consideration.

Under the old act, police magistrates were paid by the corporation, but the present act does not, that we can discover, make any provision for their payment. This will be an interesting question for police magistrates to discuss until the next pay-day arrives.—Eds. L. J.]

REVIEW.

A HANDY BOOK OF COMMERCIAL LAW FOR UPPER CANADA. By Robert Sullivan, M.A., Barrister-at-Law, and Charles Moss, Student-at-law. Toronto: W. C. Chewett & Co., 1866.

Information for the million has been one of the distinctive features of the 19th Century; the schoolmaster has been abroad, and there is scarcely a branch of law, physic, mechanics or any of the numerous ologies which has not had its Manual or Handy Book, to initiate the unlearned, or to give a condensation for those