

DIARY FOR MARCH.

1. Mon.. *St. David.* Last day for notice of trial for Co. Court York. Sub-Treasurers of school moneys to report to County Auditor.
7. SUN. *14th Sunday in Lent.*
9. Tues General Sessions and County Court sittings in County York.
14. SUN. *5th Sunday in Lent.*
17. Wed. *St. Patrick's Day.*
21. SUN. *6th Sunday in Lent.*
23. Thur. *Lady Day.*
26. Fri.. *Good Friday.*
28. SUN. *Easter Sunday.*
29. Mon.. *Easter Monday.*

The Local Courts'

AND

MUNICIPAL GAZETTE.

MARCH, 1869.

DIVISION COURTS ACT.

Much difficulty has been felt by clerks and bailiffs in meeting the requirements of the late Act, with regard to the forms necessary to carry it out. The consequence has been that different forms are in use in different counties, none, however, with the sanction of authority, and of course there is not that uniformity which is so desirable. All concerned will therefore be glad to learn, that a Board of County Judges has been appointed, under sec. 22 of the Act, which gives them full power to frame rules of practice and proceedings in the Division Courts, with authority from time to time to make rules for the guidance of clerks and bailiffs and as to their fees.

This addition to their powers will be exercised, we feel sure, with a due regard to the interests and rights of both officers and suitors, and will be the means of effecting many useful reforms both as to procedure and fees, besides settling the practice and forms under the late Act.

We learn that temporary rules have been agreed on by the Board, but as the Superior Court Judges are absent on Circuit it is not probable that the rules prepared can have their approval, which is necessary, for some weeks yet. After hearing from all the judges in answer to questions proposed to them, a full body of rules will be passed by the Board for use in the Division Courts. The middle of May will bring probably the time of meeting for the purpose indicated.

The Board is composed of, Judge James R. Gowan, of Simcoe, Chairman; Judge J. Jones, of Brant; Judge D. J. Hughes, of Elgin; Judge James Daniell, of Prescott and Russell, and Judge James Smith, of Victoria. It is very well appointed, though we should like to have seen Judge MacDonald of Wellington, and perhaps one or two more added to it. The Judges, under the guidance of their indefatigable and most competent chairman will rapidly perform the labours assigned to them. We should therefore, advise clerks and bailiffs not to lay in a large stock of forms, as they will more or less be rendered useless by those that will be promulgated by the Board.

We reserve most of our space this number for the reports of some interesting cases. The topic, however, most interesting at present to many of our readers will be the new Division Court Act, which, in the hands of most Division Court officers for some time past, has within the last few days appeared in its proper place in the last volume of Statutes for Ontario. We publish a letter on the subject which takes as pleasant a view of it as possible, but we think that Division Court Clerks and Bailiffs, at least, have little to be thankful for.

SELECTIONS.

THE HIGH SHERIFF.

The office of Sheriff is one of those institutions which, forming an essential part of the machinery of the English constitution, is at once a subject of popular interest and of daily importance to the legal practitioner.

In Serjeant Atkinson's well known work on "Sheriff Law,"—the fifth edition of which has just appeared*—we find described, in a very lucid style, the practical duties at this day of the High Sheriff and his subordinates, as returning officer in the election of members of Parliament and coroners—as judicial officer in the trial of writs of enquiry of damages, and compensation cases, &c.; as assistant to the presiding judges at the assizes and quarter sessions; as chief executive officer in civil and criminal cases in carrying out the judgment and sentence of the law, and as chief conservator of the peace in suppressing riots or resistance to the law.

This short summary of the learned Serjeant's Sheriff law suffices to show how various and

* "Sheriff Law, a Treatise on the Office of Sheriff, Undersheriff, Bailiff, &c.," by George Atkinson. Serjeant-at-Law, B. A., Oxon; 5th edition. London: Sweet, 3, Chancery Lane. 1869.