

STATISTICS OF LITIGATION.

tion, and it remains to be seen whether the conclusions which have been reached will be sustained by the Courts.

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THE Inspector of Legal Offices has collected some statistics of legal business, which are printed in his last annual report; and from them we learn that during the year ending 31st December, 1885, there were in all 7,119 actions commenced by writ of summons in the High Court; of these 4,376 writs were issued from the Q. B. and C. P. Divisions, and 2,743 from the Chancery Division, the greatest amount of business being of course transacted in Toronto, where 1,832 actions were commenced: next comes St. Thomas, with 611 suits, (for reasons give below we think there is a mistake) then London, with 522, and then Hamilton, with 411. There is one feature about these statistics which is deserving of notice, and that is the fact that notwithstanding Rule 545 providing for the alternate issue of writs in the three Divisions of the High Court, according to the figures given by the inspector, a large preponderance of these actions appear to have been commenced in the Chancery Division. According to the number of writs stated to have been issued in the Q. B. and C. P. Divisions, 2,188 writs ought to have issued in the Chancery Division; but according to the inspector's return 2,743 writs actually issued in that Division, or 555 more than the proper proportion, or about one-fourth more than issued from either of the other Divisions. On looking through the figures, however, we think it possible this result is really due to some mistake. In Elgin 101 writs are said to have issued in the Q. B. and C. P. Divisions, and 510 in the Chancery Division. We are inclined to think that a cypher has been improperly added to these figures, and that 51 instead of 510 is the

correct number of writs issued in the Chancery Division in that county. If we are correct, this would account for 450 of the apparent surplus of writs in the Chancery Division, but we do not see how the remaining 100 suits are to be accounted for, consistently with the proper observance of Rule 545.

There is another item in the Inspector's report deserving of observation. While 3,074 cases were entered in the Procedure Book in the Q. B. and C. P. Divisions, 1,624 were entered in the Chancery Division. These figures we understand to indicate the number of suits which proceeded to the pleading stage in the different Divisions. But when we come to the number of cases tried, we find 753 cases were tried with a jury, and 401 without a jury, in the Q. B. and C. P. Divisions, whereas only 14 cases were tried with a jury, and 425 without a jury in the Chancery Division. The recent Rules, 590-592, may possibly be found to make a change in the future statistics of this branch of business.

Turning to the statistics of the sheriff's offices we note a fact which appears to us somewhat surprising. Although 2,190 writs against goods appear to have issued out of the High Court, only 210 sales under such writs took place. In other words, only about 10 per cent. of all writs of *fi. fa.* goods culminated in an actual sale of goods by the sheriff. The writs against lands numbered 1,649, but the sales of lands under execution only number 43. While \$66,105.16 was realized by sale under executions against goods issued from the High Court, and \$19,842.15 under *fi. fas.* against lands, we find that \$992,838.97 was realized under executions without sale. In the County Court on the other hand we find while \$38,588.64 was realized by sale under *fi. fas.* goods, and \$7,062.21 under *fi. fas.* lands, only \$68,345.46 was realized under executions without a sale.

DIVISION