

But the inequality is still greater. We have said that the writs issued in the Central and Western Judicial Districts are not included in the above figures. Nor is any account taken of all the speedy criminal trials which the judges have to dispose of in the absence of the county judge. In addition to these, the Court of Queen's Bench here is a Court of Appeal for the whole of the North West Territories; a branch of jurisdiction involving the study of the Ordinances of the Territories.

In view of these figures, and considerations, it is not surprising that our court feels itself wholly unable to keep pace with the work; that if a persistent attack is made upon the assize list, equity and term work are necessarily neglected and allowed to accumulate; that if term, on the other hand, is prolonged for a month, then the lists of cases awaiting trial struggle for hanging-room in the Prothonotary's office; that the strength of judges, from time to time, fails them under the stress of unremitted labor, and ever and anon, one or another completely breaks down; that lawyers are nearly torn to pieces by their clients for the unavoidable delays; that clients are ruined by being unable to obtain decisions; and that fraudulent debtors bid defiance to any creditor, who, forgetting the impossibility of coercion, throws off for the moment the attitude of respectful consideration for his master—his debtor.

At the last assizes 164 cases were upon the docket. Almost every one of these involved a contest more or less prolonged; undefended issues being now almost obsolete, owing to the practice of striking out time defences in chambers. But with us the assize lists exhibit only a small proportion of the cases actually tried. Every Tuesday is set apart for trying non-jury cases, and the judges, in their endeavour to cope with the arrears, devote every other day of the week, not otherwise occupied, to hearing such cases as parties consent to bring before them. Interpleader issues rarely go to the assizes. Provision is made for their disposition in chambers, upon oral evidence, and many a day is taken up with these trials.