

persistence of those who conceitedly tinker with what they do not understand. Like the English County Court System there has been produced what experience has developed in England, "a fine crop of inconsistencies and absurdities."

The English County Courts were intended to be instruments for the cheap and speedy collection of small debts, and remedying minor torts, or doing justice to persons who are unable to seek redress in the higher courts; but the present is an expensive and cumbersome incongruity, far away from cheapness and speed.

For many years past it has been made possible for the province to be divided into County Court Districts, under which Judges could divide the work amongst themselves, and perform functions irrespective of the counties in which they respectively reside, and it is to be regretted that that principle was not embodied as a requirement by express provision of the Consolidated Division Courts Act. The tendency of the system in general has been to decentralize the administration of civil justice, but the jurisdiction and powers of the court have been confined principally to the original purpose for which small debts courts were instituted, excepting that it has been increased as to the amount involved or the value of property brought in question. We think it may now be seriously discussed whether the railroad system of our country, which makes it convenient for Judges to travel from place to place throughout the province, does not call for an ignoring of county lines, which on the map appear, for the most part, as if they had been traced out by the journeyings of analined angle worms; and that the boundaries and extent of Division Court Districts might, with great advantage to Judges and suitors, be abolished, and the districts of Division Courts reconstructed according to business centres and populations, and business requirements.

The principle which we believe prevails in England, that a Judge should not administer justice in a county where he was born or where he resides, is as applicable to this country now, as it ever was anywhere, and the advantage of having a stranger to the community to administer justice is so obvious that it strikes one with surprise that the principle does not seem to occur to those whose duty it is to provide for the proper administration of justice, especially when we know that its local application in certain parts of the province proceeds upon no principle whatever of local exigency which does not apply everywhere else in the province. The first thing to be secured is the confidence of the public, and the next the making of the court a useful and reliable instrument for administering justice between man and man; and where the instances of calling a jury in the Division Court are so few, it is all the more desirable that a Judge who acts both as Judge and jury, dealing with both law and fact, should be beyond local prejudice or the suspicion of partiality. Constituted as human nature is, it is not to be supposed that a Judge working in the same field and dealing largely with the same people, should not receive favorable impressions of the integrity and character of some and unfavorable of others who appear before him, and thereby necessarily and unwittingly become more or less prejudiced in their favor or against them. If he ever goes outside his office or his own house, or mixes with the people to any extent, as he necessarily must,