as the suitor to the county court, acted as judge?] I am not aware of one. Again, in *King* v. *Stubbs*, 2 T. R. 395, the question was whether a woman might be overseer of the poor. Now, the case itself does not carry the matter any further; but the reason given by the Court for its decision is most important. The decision is put on the ground of the phraseology used in the 43 Eliz —"The only qualification required by 43 Eliz. is that they shall be *substantial householders;* it has no reference to sex:" 2 T. R. 406. Again, in *R.* v. *Crosthwaite*, 17 Ir. C. L. Rep. 157, 463, women were held entitled to vote for a town commissioner, as being included in the description "every person of full age who, &c.," contained in a certain section of a certain Act. That case was, it is true, reversed on appeal to the Irish Exchequer Chamber. But of the entire Bench taken together it will be seen that a majority were in favour of the original decision. If the present question be regarded as one of constitutional law, and it is difficult to see how that can be avoided, we must remember that all great constitutional writers make English freedom to depend to a great extent on the connections between the right to vote and the liability to taxation. Why are women to form a striking and un unfair exception to this rule?

[The learned counsel then proceeded to discuss the fitness of women for the exercise of political rights; but as in this part of his argument he did not introduce any additional legal matter, it is not here given.]

(*To be continued.*)

CORRESPONDENCE.

To the Editors of the Local Courts' Gazette.

Sirs,—I notice that in some instances a very wide difference of opinion exists among acting magistrates, as to their duties under the various statute laws giving them jurisdiction. It is a disgrace that more uniformity of practice does not exist. Some magistrates in this county consider it to be their duty, to make a return of conviction under section 9, cap. 55, 29 & 30 Vic., wherein two magistrates are empowered to give certificates on the Municipal Councils, for damage sustained by dogs killing sheep, the owners of which are unknown. It seems to me, that as no person is either tried or convicted, that a return is not required. Neither is any complaint laid against any one. The form of schedule return given by the statute, should, I think, of itself convince us that "certificates" for damages on the councils, are neither "orders" nor "convictions," as there is neither prosecutor or defendant. There is no fine imposed; no money goes into the justices' hand, nor is any paid out by them. Now the form of return implies, "a prosecutor," "a defendant," "nature of charge," "date of conviction," "penalty," "when received," "when paid out," and "who to," none of which takes place under the "certificates" given under the 9th section of the Act referred to. Some cautious magistrates may say, "that even supposing the return not required, it is the safest way, and wont do any harm;" but he must remember that one dollar is charged for the conviction, and if no return should be made, the council are paying fees which they should not do.

The clause in the Act reads "that if the party injured by having his sheep killed, makes oath that upon diligent search and enquiry, he has not been able to discover the owner or keeper of the dog or dogs, or *to recover the amount of damages or injury adjudged from the owner or keeper of such dog or dogs, if known for want of distress*, the justice shall *certify* to the facts that such owner cannot be found, or that there are no goods found upon which to levy the same, and the amount of damages, &c." Now it is plain that there are two distinct "certificates," two justices are empowered to give under section 9. One is when the owner is unknown; the other, when a conviction has taken place under section 8, but from whom the constable cannot collect the amount. Now it appears to me, that if the magistrates makes a return of a conviction on one certificate, they should on the other—and if on the other—two convictions would represent the same case. The Act of 27th of August, 1841 (see *Law Journal* of March, 1860), recites, "that for the more effectual recovery and application of penalties, fines, or damages, shall make a due return thereof to the General Quarter Sessions of the Peace." Now, as I said before, these "dog certificates" imply no application of penalties, fines, or forfeitures, as none pass through their hands. However, after this, magistrates will be relieved from returning convictions upon these "sheep certificates," as the last session of our Ontario Legislature, gives that part of it to our Municipal Councils, where the owners are unknown, and very properly too, if magistrates charge for returning a conviction on these certificates.

I think it would result in much good, if the acting magistrates in each county would hold periodical meetings, say once or twice a year, for the purpose of discussing different points that occur in their practice, and thereby secure a greater uniformity of practice. Of course