General Correspondence.

payment, had to submit to a large reduction in the amount in order to get it settled, although the regular prices only were charged in the bill.

The want of an Admiralty Court is being felt more and more among us, and I am of opinion the people will not quietly submit much longer to be without one. The law of salvage is a dead letter among us, and bottomry is a thing not known, but it will not do to splice a piece of admiralty law on to our common law.

Admiralty law is said by some to be expensive. What law is not expensive? Cannot admiralty law be administered as cheap as other law? In England experts are appointed, two of whom I think form a court, before which small causes to the amount of fifty pounds sterling may be tried with small expense. This plan might be adopted in Canada and perhaps improved upon.

They have also a panel composed of merchants and shipowners, who are well posted in maritime affairs, from which, when an important cause comes up, a special jury may be selected to try it.

If admiralty law were not a benefit the maritime nations would expunge it from their respective codes; they do not expunge it, therefore it is a benefit.

I would like to see this subject thoroughly ventilated, or else I would not seek to occupy a place in your *Journal*.

Sheer Hulk.

Kingston, 26th Oct., 1865.

[It is with much pleasure that we publish the above letter, not only because it shews that a deep interest is felt in this matter by those most concerned, but also because it is written by a practical man who well understands what is required to place our lake marine upon a proper footing. It is by a full discussion of the subject by such persons that we may expect to obtain that extension of our laws, and the adaptation of the laws of other countries, which will eventually, and so far as possible, provide for the protection not only of those who risk their capital in vessels, but also of the sailors and mechanics, without whom such vessels would be of little use. We shall return to the subject in our next issue.—Eds. L. J.]

To the Editors of the Law Journal.

Gentlemen,—Will you please give your views on the following query:

"Leave to file affidavits in support of County Court rule within one week from this date, October 7th, otherwise rule then to expire."

No affidavits were filed until 14th.

It is contended that, by the County Court rules, the first day is inclusive, as also the seventh day; consequently the week expires on the 13th.

But on the other hand it is argued that the question is one of common sense, and cannot be decided by the County Court rules, which (152 sec.) simply decides a question of computation of time in such cases where the days are prescribed by the rules of practice, &c.: whereas in the case under consideration, the period referred to is one to be decided by opinion or precedent, and that the case of *Young* v. *Higgon*, 6 M. & W. 49, referred to in Archbold's Practice, page 145 (13th edit.), decides that "when time within a certain time of a particular period is allowed, &c., the first day is to be reckoned exclusively."

But, per contra, it is urged that if the filing was not too late on the 14th, then the party has one day more than the week. Had the leave been to file affidavits within one week *after* this date, then clearly the first day would have been exclusive; and this seems reasonable.

I am puzzled how to decide this; and as the question of computation of time is one generally of interest, perhaps you would give your views and enable me to have a better knowledge of the same hereafter.

Yours obediently,

A Law Student.

Guelph, Nov. 2, 1865.

[We think that the affidavits might have been filed on the 14th. The words "within one week, &c.," we take to mean the same as within seven days from this date; and if so, the ordinary test of first day exclusive and last inclusive must be applied. How would it be if the order were *within one day*, &c. This could not mean that the affidavits should be filed on the same day as the order was made, that day must therefore be excluded, and if excluded in one case must be equally so in the other. See *Scott* v. *Dickson*, 1 U. C. Prac. R. 366.]—Eds. L. J.