

DIARY FOR JANUARY.

1. Mon...Circumcision. Heir and Devisee Sittings com.
[Co. Ct. & Sur. Ct. Term begins. Taxes to be computed from this day. Municipal Elec.
4. Thurs York and Peel Winter Assizes commence.
6. Satur. Epiphany. Co. Ct. and Sur. Ct. Term ends.
7. SUN...1st Sunday after Epiphany.
8. Mon...Election of Police Trustees in Police Villages.
10. Wed...Election of School Trustees.
14. SUN...2nd Sunday after Epiphany. [Board of Audit.
15. Mon...Treasurer & Chairm. of Muns. to make return to
16. Tues...Heir & Devisee Sitt. end. Muns. & M. C. (except [Co.'s) & Trs. of P.V. to hold 1st meeting.
20. Satur. Articles, &c., to be left with Secretary of L. S.
21. SUN...3rd Sunday after Epiphany.
23. Tues...Mun. County Council to hold 1st meeting.
26. Thurs. Conversion St. Paul.
28. SUN...Septuagesima.
31. Wed...Last day for Cities & Counties to make return to [Gov. Grammar School Trustees to retire.

NOTICE.

Subscribers in arrear are requested to make immediate payment of the sums due by them. All payments for the current year made before the 1st March next will be received as cash payments, and will secure the advantages of the lower rates.

The Local Courts'

AND

MUNICIPAL GAZETTE.

JANUARY, 1866.

THE DIVISION COURT BILL.

We understand the Attorney-General has called for the opinion of the County judges upon the proposed bill of last session respecting the Division Courts. This is a satisfactory way of treating the subject, for of course those who are actually engaged in working the Division Courts are most competent to pronounce an opinion upon it. Most of these gentlemen have had large experience, some of them of over a quarter of a century, and if they will give full expression to their views there will be an amount of evidence of the highest character upon which legislation could be based.

Some of the changes proposed relate to an enlarged jurisdiction to the courts, and upon this point we do not at present express any opinion, but if the jurisdiction be increased provision should be made for increased fees, according to the increased powers, to the officers, as well, we think, as some scheme of remuneration to professional men for their services, which would be more generally taken advantage of in the event of an increased jurisdiction. The fairness of such a provision,

not to the lawyer but to the client, has already been alluded to.* No changes in this respect are contemplated by the proposed bill.

Many provisions in the bill we are sure will meet the hearty approval of the County judges, but they must be altered in form to suit the courts. The whole statute law relating to them should be contained in one act. The Division Court suitors, clerks and bailiffs cannot be expected to have a library of books, even if nothing be said of the convenience of having the whole law in one book. The best plan would undoubtedly be to do as Hon. Sandfield Macdonald did, to repeal the existing statutes and consolidate the whole in one act. But we fear this is not likely to be done for some time.

The power to grant new trials in interpleader cases is much called for. It seems a preposterous thing that in the most important kind of cases there is no means of obtaining a rehearing, however strong the grounds that may arise for it—in mistake, surprise, the discovery of new evidence, &c. We have heard numerous complaints on this head. The right to call a jury in the same class of cases is much needed also, for in these cases questions of fraud in fact almost always arise and they are just such questions as may be best left to juries to dispose of. Mr. Attorney Macdonald has always shown great anxiety to have all that relates to the administration of the law placed on the best footing, and the measures introduced by him have all been of valuable character and tending to this end, and we think he has taken the best and safest course to learn the opinion of the County judges before giving his sanction to the legislation proposed, and those interested in courts are indebted to him for the course he has taken. Theorists with the best intentions in the world often injure the cause they intend to serve, and we should be extremely sorry if by hasty legislation the value of the Division Courts was impaired—a scheme that works well now, injured by being overgorged with a class of work it was not designed for. The capabilities of the courts for undertaking what is proposed by the bill will be ascertained from the opinions of the judges, and we are sure that neither Attorney-General Macdonald nor any other member of the House who has the best interests of these