

## DIVISION COURT STATISTICS—MODE OF ENFORCING JUDGMENTS OF THE COURTS OF APPEAL.

where the liability of the defendant was ascertained in any manner by his signature, and by the same Act the jurisdiction in actions of tort to recover damages to \$40 was increased to \$60. We have only the returns for suits of the increased jurisdiction for ten months of 1880 (the amended Act being sanctioned on the 6th March, of that year), but if a proportion of one-sixth (equal to two months) be added to the returns furnished for 1880, a comparison can be effected between the years 1880 and 1881.

The falling off in suits for amounts exceeding \$100, taking those figures, would be about 15 per cent. The number of these suits entered for the ten months of 1880 was 3,592, and the number for the twelve months of 1881, 3,744.

In looking through the report we find that the six counties having the largest number of Division Court cases in 1881 are the following:—

York, 6,723; Simcoe, 3,024; Middlesex, 2,946; Brant, 2,758; Kent, 2,587; Bruce, 2,543.

In the year 1880 they were:—

York, 7,252; Wentworth, 5,067; Simcoe, 4,000; Wellington, 3,965; Huron, 3,628; Bruce, 3,485.

The most remarkable falling off in the number of cases entered for the year was in the County of Wentworth, where it was over 51 per cent., while in the County of York the decrease was only about  $7\frac{1}{2}$  per cent. Another interesting fact is learned by comparing the business done in the County of York with that done in the whole Province. Over one-twelfth of the whole Division Court business of the Province was disposed of by the judges of the County of York in the year 1880, while in the year 1881 they actually performed over one-ninth of the same.

In the year 1880 the aggregate amount of claims entered for suit in the Province was \$2,377,333, and in 1881, the sum of \$1,843,034, showing a falling off in amount of over half a million of dollars.

Of these large amounts there was paid into Court in 1880 \$894,556, and in 1881, \$727,905, being about forty per cent. of the aggregate amounts in each year. The balance, or 60 per cent., would\* be represented by amounts paid by defendants to plaintiffs outside of the Court, judgments for defendants, nonsuits, reductions in amounts claimed by plaintiffs, set offs, &c., &c., and by uncollectable claims. If we assume that about 40 per cent. would be accounted for by the foregoing causes, except the last, it would leave about 20 per cent., which might not unfairly be set down as the probable amount of claims uncollectable.

There are 307 separate divisions in the various counties in which a Court is held, in a large proportion of them as often as six times a year, while in the case of cities, the Courts are held about once a month. There were 146 jury trials in the Division Courts of the Province in 1880, and 223 in 1881.

We have not space for more extracts, but the Report contains much information, valuable alike to the profession and our Legislators, and confirms the many opinions as to the importance and usefulness of our Division Courts.

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The much vexed question as to the proper mode of enforcing a judgment of the Court of Appeal has reached another stage in the recent decision of the Court of Appeal in *Lowson v. Canadian Farmers' Insurance Co.*, ante, p. 293, but we do not think that it has even yet reached a satisfactory solution. The Appeal Act, R. S. O., c. 38, s. 44, says: "The decision of the Court of Appeal shall be certified by the Registrar of the Court of Appeal to the proper officer of the Court below, who shall therefore make all proper and necessary entries thereof; and all subsequent