

ventilated in England, not, we apprehend, to the credit of those who were concerned in passing the Act.

We direct special attention to the judgment of Mr. Justice Gwynne, who has originated a new theory, viz: that the act does not sufficiently show that the Legislature intended to affect the interests of the grandchildren. If he should prove correct in this view, which he supports by a most able and ingenious judgment, it will be a "facer" to the promoters of the bill; and the result would be sufficiently disappointing to those who have in other respects engineered their own interests so successfully. The Chief Justice, who does not agree with Mr. Gwynne, deals with the subject in his own peculiarly incisive manner.

We are indebted to our enterprising correspondent at Halifax, Mr. Meagher, (Blanchard and Meagher) for an important decision in Insolvency. Mr. Justice Ritchie seems to have followed the current of authority in England, though agreeing with the view of some of the judges there that the result of those cases is not so satisfactory as might be desired. We are not aware of any decision in our Courts on this point. *McDonald v. McCallum*, 11 Grant, 469, came near it, but is not an authority on the question decided in the Nova Scotia case.

We view with envy the gold-begetting list of legal notices in "the oldest law journal in the United States," *The Legal Intelligencer*, of Philadelphia. So famous is this paper, that we understand the correct pronunciation of its name is an unailing test of whether a man is intoxicated or not. In one of the late weekly issues we count some 170 official and semi-official advertisements—the columns of this paper being the authorised medium for publishing such information to the public. Attempts are being made by other journals to have a partition of this privilege, but they are sturdily anathematised in the "leaders" of the official favourite. It has often occurred to us that there would be more sense in official notices, &c., being published in this Journal rather than in an Official Gazette, which is read by none who can avoid it.

Many men, many minds—many judges, many judgments. In Illinois, the judges in one Supreme Court held that the maxim of independence, "all men are created equal," does not extend to women, and that by virtue

thereof, or of anything else, they have no right of suffrage. In the same State, another Supreme Court decides that this maxim does apply to vagrant children, so that a statute providing for the rescue of such "little wanderers," and the committal of them to a reformatory school is unconstitutional, and a "tyrannical and oppressive" infringement upon the liberties of the citizen. In effect, therefore, juvenile vagrancy receives judicial sanction, and the state is powerless to protect and save destitute minors and orphans! We thought "*Salus populi suprema lex.*"

#### DIVISION COURT LEGISLATION.

We regret to say that the Provincial Legislature has passed an Act making some alterations in Division Court practice, which, from all we can learn, is ill-considered and injudicious; but as we have not yet seen the Act as amended, we do not speak with confidence, and shall refrain from further remarks until we have had an opportunity of examining it. We can only say that the introducer of the Bill was apparently so disgusted with the mutilation it received in the House, and the lengths to which the principle he was introducing as to the allowance of others than lawyers conducting cases in Court was being pushed, that he desired when it was too late to withdraw the Bill. We can well believe that even a well conceived change in the law may be very easily spoiled in its passage through the House, when every member, legal or lay, thinks himself competent to give an opinion upon what he supposes such a simple matter as Division Courts. The want of knowledge, however, of many of them on this subject is only exceeded by their assumption of it, and the unfortunate part of it is that the result of their dabbling is often to make changes which, though perhaps harmless enough in some respects, tend to interfere with the harmonious working of a system carefully and thoughtfully devised and revised by clear heads, thoroughly trained in the theory and practice of these Courts.

#### REPLEVIN—GOODS IN THE CUSTODY OF THE LAW.

An important point has been decided in Chambers by Mr. Justice Gwynne on the law of replevin, which it is desirable should be made public as soon as possible. It came up