

## THE RECENT CHANGES—THE BURLEY CASE, &amp;c.

## DIARY FOR FEBRUARY.

1. Wed. ...	Grammar School Trustees to meet.
2. Thur. ...	Parliament of B. F. Murray
3. SUN ...	5th Sunday after Epiphany.
4. Mon. ...	Hilary Term commences
10. Frid. ...	Paper Day, Q. B. New Trial Day, C. P.
11. Sat. ...	Paper Day, C. P. New Trial Day, Q. B.
12. SUN ...	Septuagesima.
13. Mon. ...	Paper Day, Q. B. New Trial Day, C. P.
14. Tues. ...	Paper Day, C. P. New Trial Day, Q. B.
15. Wed. ...	Paper Day, Q. B. New Trial Day, C. P. Last day
16. Thur. ...	Paper Day, C. P. [for service for Co. Ct.]
17. Frid. ...	New Trial Day, Q. B.
18. Sat. ...	Hilary Term ends
19. SUN ...	Sexagesima.
24. Frid. ...	St. Mathew.
25. Sat. ...	Declare for County Court.
26. SUN ...	Quinquagesima.
28. Tues. ...	Shrove Tuesday.

## NOTICE.

Owing to the delay that has unavoidably taken place in the time of the January number and of this number of Law Journal and Local Courts' Gazette, the time within which payments must be made to secure the benefits of cash payments is extended to 1st April next.

Owing to the very large demand for the Law Journal and Local Courts' Gazette, subscribers not desiring to take both publications are particularly requested at once to return the back numbers of that one for which they do not wish to subscribe.

## THE

## Upper Canada Law Journal.

FEBRUARY, 1865.

## THE RECENT CHANGES.

We have most favorable accounts from all quarters of the reception of the *Law Journal* and the *Local Courts' Gazette*, and have every reason so far to be satisfied with the result of our exertions.

Some few there are amongst the magistracy and municipal bodies that seem to labour under the impression that it is quite out of the power of any mortal to add anything to their stock of knowledge, and so long as they have the "Consolidated Statutes," which they fondly imagine contain *all* the law on every subject, they think they cannot go wrong. The less such people *really* know the more they *think* they know. Fortunately the localities blessed with such luminaries are few, and there appears to be a growing desire on the part of those connected with magisterial and municipal duties to use every means of increasing their stock of information. The first judges in the land find it necessary to keep themselves well posted in the current law; and it is an invariable fact, that those who know most are

always the persons most anxious to learn more.

The Council of the County of Simcoe have taken the lead in this respect amongst the municipalities. They have with commendable enlightenment and liberality ordered several copies of both publications for the use of the County Council, and two copies of the *Local Courts' Gazette* for the use of each local municipality in the County. We venture to promise that it will not be money thrown away. Certainly not if we can help it. What will be useful for one county will be of the same advantage to another, and we hope to find this example followed by the majority of the other County councils in Upper Canada.

We have every reason to believe, and are extremely glad to be able to say so, that the changes that have been made have met with such general approbation from persons of influence and intelligence.

## THE BURLEY CASE.

We give in other columns a very full and carefully prepared report of this important case as finally decided in Chambers before the Chief Justice of Upper Canada, as listed by the Chief Justice of the Common Pleas, Mr. Justice Hagarty, and Mr. Justice J. Wilson. It is one of the most important cases ever decided in Canada.

We had intended giving in this number some remarks on this case, and the law of extradition generally, but want of space compels us to defer them till our next.

## WHAT IS AN ARBITRATOR?

Is an arbitrator the agent and advocate of the person who names him to settle a dispute employed to protect and further the interests of his client, or is he a judge—bound in honour and conscience to decide impartially and righteously, "without fear, favour or affection," and according to the truth of the case, without reference to its being adverse or favourable to the person appointing him?

Some may smile at the simplicity which asks such a question. All upright and intelligent men will answer that the latter definition alone describes the arbitrator proper, and that the former only suits the ignorant or dis-