

DIVISION COURT JURISDICTION.

to stand idly looking on while the administration of the law in one of its branches is being tampered with to the public injury.

We almost fancy we can trace in the inception of this movement the hands of some of those "agents" who are, as we think, unhappily allowed to dabble in matters of which they are profoundly ignorant, and for which they have undergone no apprenticeship. Unlike the heavily taxed lawyer, these persons pay no fees; and, as a general rule, and to the extent of their ability, bring discredit upon the administration of justice in the Courts where they are found. We shall not insult the Attorney-General by supposing that he would pay the slightest attention to pressure inaugurated by this class.

No—it would be well on every ground to let well alone. Those who are stimulating this movement would find, if they should be so unfortunate as to succeed, that they had acted in a suicidal manner. And, on the other hand, the Attorney-General will, we trust, see that the desire for a change comes from interested sources, to which he cannot safely or conscientiously give way. The country would possibly welcome a comprehensive, well-considered scheme for the fusion of law and equity, but the people are sick of this everlasting tinkering of statutes at the instance of men who are ignorant and careless of the mischief they may do.

This subject is of such a nature, and is so important to the due administration of justice, to say nothing of the interests of the profession, which of course is a minor consideration, as to challenge the notice of the Law Society. We have not heard of any action being taken in the matter, but certainly if Local Bar Associations take it up, *a fortiori*, the central body cannot, with any regard to the position to which they have been

elected by their brethren, ignore it. We commend it to their immediate notice, to be dealt with as they may deem right in the premises.

At a meeting of the Local Law Society of Peterborough, an association to which almost all the members of the profession in that neighbourhood belong, the resolutions, of which a copy is given below, were unanimously passed, and a copy of them sent to the Attorney-General. These resolutions were in reply to the circular which the Attorney-General has sent to various members of the profession, asking them to answer the questions therein, relating to the proposed increase in the jurisdiction of the Division Courts :

"Moved by Mr. Dumble, seconded by Mr. Dennistoun, Q.C., and *resolved*.

In the opinion of the members of the legal profession of Peterborough, there should not be any increase in the jurisdiction of the Division Courts, for the following amongst other reasons :—

1. The machinery of the County Courts is better.

2. The officers of the County Court are, as a rule, men of higher training and capacity for the discharge of official business than those of the Division Courts.

3. The proceedings in the County Court are always on file or record at the Judge's Chambers, and are more accessible when required, and are more safely preserved than those of the Division Courts, which are kept at the several offices of the clerks.

4. Judgments can more expeditiously be obtained in County Courts—as on default or where defences for time are put in.

5. There is no remedy against land in the Division Court, and to transfer judgments to the County Court is no advantage over proceedings in that Court in the first instance, and in other particulars the remedies in the County Court are more effective.

6. The Sheriff is a better executive officer than the Bailiff, and is controlled by better machinery than the Bailiff.