

LEGISLATION OF LAST SESSION—THE ELECTION OF BENCHERS.

minister became stereotyped. He had all the instincts of justice, tenacity of purpose, and disregard of opposition, which would constitute a founder of the system of equity. These very qualities stood in his way as a judge in these latter days, so that his reputation as a lawyer was hardly equal to his powers."

Rt. Hon. Sir Arthur Hobhouse, K.C.S.I., has been appointed an unpaid member of the Judicial Committee of the Privy Council. In 1872, he succeeded Sir James (now Mr. Justice) Stephen, at Calcutta, as the legal member of the council of the Governor-General of India.

LEGISLATION OF LAST SESSION.

A much valued correspondent at Ottawa thus writes to us *apropos* of the legislation of last session. We gladly reproduce part of his letter:—"Our list of survivors of the Legislative battle is not very numerous, and severely critical people will say 'so much the better.' We got up to 107 Bills entered and read, at least once, so that 44 died the death of the Innocents, and 44 Rachels mourned for their children, and will not be comforted. One poor little dear, only legislative child of Mr Patterson, of Essex, died *in print* but un-introduced, 'and went down to the grave unborn.' The fate of these Innocents was hard. 'The applause of list'ning senates to command, their fate forbade.' But perhaps the public will add, as a consolation,

'Nor circumscribed alone
Their hidden virtues, but their sins confined,
Forbade to puzzle justice on her throne,
Or pour confusion o'er the legal mind.'

Their country will hardly go into deep mourning for them.

I hope you are all well pleased with Mr. Mowat's fusion of law and equity. I see two learned gentlemen intend to indite commentaries upon it; yet it seems pretty considerably full in itself, and nearly long enough. I am very glad to see it, and to think that the

foreign sneer about Englishmen having two laws or two opposite rules of decision in the same case, will no longer be applicable. I send you a copy of Mr. Mills' bill for establishing the rule of decision in the North-western Territories. Is Mr. Mowat's an amplification of Mr. Mills', or Mr. Mills' a condensation and quintessence of Mr. Mowat's, or a germ out of which a clever lawyer, with plenty of brains and enormous labor, could evolve Mr. Mills' measure? I remember Mr. Draper's idea of the immense extent of the labor involved in this fusion, and his saying: it was enough to deter him from undertaking it; though he thought the thing ought to be done, and this blot on English jurisprudence removed. All honor to those who have removed it. There will be in Ontario as there has been in England, trouble enough at first; old lawyers will not much like it, but all will come right, and the next generation will wonder how we bore the reproach so long."

There are some who think that we were doing well enough without this much-needed fusion, and that there was no urgent demand for the change. It certainly will entail much labor on Bench and Bar, and probably make litigation rather more expensive than formerly.

ELECTION OF BENCHERS.

This event has come and gone, and we are glad it is over. These occasional appeals to the general body of the profession may be desirable for some reasons; but the medicine is unpleasant and somewhat nauseous, and if there is a little unseemly spluttering, and some soiling of white robes on the part of the patient during the process, it is only what might have been expected. It is said by some that a dash of politics in the mixture is what gave it an offensive flavor on this occasion. We trust that this is not the case, and while we ask pardon for mixing metaphors, we express disbelief in the assertion that there can be in our ranks any pro-