

The report continues by giving the remarks of Sir Hibbert Tupper as follows: "Speaking for the Bar, I may say that no such idea has entered the head of any member of the Bar, and if such remarks had been made by any barrister the Law Society would take the matter up and his gown would be stripped from his back." The provocation must have been great when a man of the fairness, ability and experience of Sir Hibbert Tupper thought proper to use such forcible language. The Court rose shortly afterwards and upon its re-assembling Mr. Justice Martin retired.

We do not care further to pursue this unpleasant subject, nor to comment upon the language above quoted, nor to discuss the alleged strained relations referred to; but it cannot be tolerated that this sort of thing should continue. No one should be allowed to say anything or do anything which might tend to lower the dignity of the Bench, or to bring it into contempt in the eyes of the public and thereby tend to impair its efficiency. But what is required in this regard of every citizen is required vastly more of those who sit on the Bench, including in this case Mr. Justice Martin. It is unnecessary to enlarge upon such a self-evident proposition. The profession will insist that such things as these should cease to be.

PERMISSIVE WASTE BY TENANTS FOR LIFE OR YEARS.

If a lawyer in Ontario were asked to advise whether a tenant for life, or a tenant for years is liable, in the absence of any contract, or limitation to the contrary, for permissive waste, he would, perhaps, feel in somewhat of a quandary. From the case of *Patterson v. Central Canada L. & S. Co.*, 29 Ont. 134, he might possibly conclude that neither a tenant for life nor years is liable for permissive waste, but if he adopt the views expressed by Meredith, *C.J.C.P. in *Morris v. Cairncross*, 14 O.L.R. 544, then he must conclude that both tenants for life