

*DEFENCE TO SPECIALLY ENDORSED WRITS IN
ONTARIO.*

The result of the decision on *Smith v. Walker* referred to in our issue of December last (page 717), has been recognized as absurd, and a Rule has been passed amending Rule 112 and making the practice more in accordance with common sense. The amendment in effect provides that if the defendant who has filed an affidavit shewing his defence does not file a statement of defence, then his affidavit is to be treated as his defence.

The judges have provided a committee of judges to deal with questions of practise, viz., the Chief Justice of Ontario and Justices Middleton and Kelly. It is to be hoped that under their able guidance such absurdities as that above referred to may be promptly corrected when discovered.

One of the great men of Canada, and perhaps the one most widely known throughout the Empire, passed off the scene on the 20th ult. at the ripe age of 94. Though in no way connected with the legal profession, it is meet that the event should be recorded even in the columns of a legal journal. The story of the life and services of the Right Honourable Baron Stratheona and Mount Royal, G.C.M.G., G.C.V.O., LL.D., High Commissioner for Canada in England, have been set forth in numberless places, and are part of the history and heritage not only of this Dominion, but of the Empire at large. Great as were his achievements for Canada as a public man, no less was the love and respect he won from the multitude of those who were the recipients of his unostentatious generosity, his friendly help and his princely hospitality. A grateful country wished that he should rest in Westminster Abbey, but his desire was, that he should be buried beside his wife in the family vault.