

provide for the appointment of guardians *ad litem* to infants in all cases, the *Rules* as they stand merely providing for cases where infants are required to be served with a writ of summons (*Rule 258*), or an office copy of a judgment (*Rule 337*); but there are a great many other cases in which infants are required to be served with proceedings in which the appointment of a guardian is necessary, and in which the procedure laid down by *Chy. Ord. 610* proved very convenient, *e.g.*, when notice of motion was desired to be given to an infant for an administration or partition judgment, or in Quieting Title proceedings. In all such cases, and many others of a like character, we suppose it will now be necessary to resort to the former practice of giving notice of motion, and applying in Chambers for the appointment of a guardian. It would have been easy enough to provide that in all civil proceedings against infants, not being for personal torts committed by them, the writ, order, judgment, notice, or other proceedings, required to be served upon an infant, may be served upon the official guardian *ad litem* on such infant's behalf, and upon such service the official guardian *ad litem* shall be *ipso facto* constituted guardian *ad litem* for such infant in such proceedings; but, as we have said, the *Rules* as they at present stand only provide for the two cases we have mentioned.

With regard to the issue of commissions to take evidence abroad, the *Rules* seem defective. *Rule 586* authorizes the issue of a commission to take the evidence of a party to the action, but there is no express *Rule* authorizing the issue of a commission to take the evidence of a witness. The English *Rule 487* should have been enacted. The provisions to be found in the English *Rules 144-153* with regard to proceedings by, or against, paupers ought, we think, also to have found a place in the new *Rules*, but we fail to see that any provision whatever is made for such cases.

In the next place, provision is now made enabling suitors to pay money into court upon requisitions to be obtained from local officers at each county town except L'Original, Cayuga and Sault Ste. Marie; at these latter places provision is made by *Rule 171* for payment to the local officers of money desired to be paid in with a defence, but no provision at all appears to be made for payment of any other money into court at these places. *Rule 164* provides generally that money to be paid into court is to be paid into the Canadian Bank of Commerce, or at some branch or agency thereof; and the following *Rule* enumerates certain other banks at places where the Bank of Commerce has no branch or agency at which money may be paid in. But *Rule 163* declares that these *Rules* are not to apply to moneys payable at L'Original, Cayuga or Sault Ste. Marie, so that, when money is payable into court at any of the latter places, either for purchase money in case of a sale at any of these places under an order or judgment of the court, or in administration or other suits, the mode of paying it in is left in obscurity. We presume the party desiring to pay money into court at these places could go to the nearest place where money is authorized to be received, and obtain a direction from the local officer and pay the money there, but the *Rules* do not appear to say so.

We were under the impression that the Accountant's office was one in which