

OSGOODE HALL NOTES.

A second division of the Court of Appeal has been constituted as follows: Meredith, C.J.; Rose, Falconbridge and MacMahon, JJ.; and it commenced sitting on the 5th October.

Mr. H. H. Robertson, of Hamilton, has been appointed a special examiner.

The Chief Justice of Ontario, the Hon. J. H. Hagarty, com-

menced his six months' leave of absence last month. The last case he sat on was *Montgomery v. Corbitt* on 25th September.

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Chief Justice Hagarty went on the Bench in 1856, and has ever since continued in that capacity. So long a service merits a more extended notice, and this we promise our readers at an early date.

GLIMPSES INTO OLD UPPER CANADA LITIGATION.

Vol. I, O. S. 1823-1829.

All those things which are now held to be of the greatest antiquity were at one time new, and what we to-day hold up by example will rank hereafter as a precedent.—TACITUS.

PAPER III.

In a third and last paper on the first volume of cases reported in this province, it will not be inappropriate to see who were the gentlemen whose names are recorded as appearing before the Court in those cases. It is almost certain that of all who took part therein, Judges, lawyers and litigants, none remain alive to-day. It is curious, however, as an evidence of the tendency for the son to follow the father's profession, to observe that there is hardly a name which shone in the legal world then which is not even yet a distinguished one among the profession of the pre-

sent and recent times. A list has been made of those who appeared, as well as the number of times each appeared. The name most frequently appearing is that of Mr. Macauley, he being before the Court in the volume under review no less than 79 times. His great talents were destined at a later period of time to shed a lustre on the Bench. The gentleman whose name is next in order was Mr. John Beverley Robinson, who was engaged in 55 of the cases here reported. His subsequent career as a Chief Justice, and as the object of the Crown's favour, by being created a baronet, is well known. His sons have earned the highest laurels in our own times. The name of Boulton has always been known and carried to distinction in the Courts of this province. Mr. Boulton, the Solicitor-General, appeared during the period we are now examining in 54