

EDITORIAL NOTES—PUNCTUATION IN ITS LEGAL ASPECT.

members of the Common Law Courts. The special work in Chancery is undoubtedly increasing, and the cases are much more ponderous and complicated than those which arise at Law. The result of the pressure of business is such that the sittings at Toronto are now being held during weather in which it is a positive "cruelty to animals" to work. While we hear of applications being made in the Provinces for an increase to the judiciary, there is none in which an addition is more required in the interests of the public than in the Court of Chancery for Ontario.

Many times have suitors blessed the Judge who invented the "Peremptory List." The theory of this list is that the Judge enters on it, for trial each day, so many cases as, in his judgment, amounts to a fair day's work, and which, if tried, would be a fair day's work. By this means counsel and suitors and witnesses know what is expected by the Court, and are ready accordingly. But the strange spectacle has lately been seen of a Judge so voracious of work as to inscribe twenty cases on the list as the smallest per diem allowance which will satisfy his appetite! Of course it is almost impossible to have all the people concerned in twenty cases waiting each day. Better abolish the list altogether than make a mockery of it.

The same learned Judge has, during the Toronto Assizes, commenced his work at half-past eight in the morning. This is also charming in theory during the hot weather. The great orators and the little speechifiers of ancient Greece charmed or wearied their Athenian audiences as the sun began to light up the Parthenon. The learned and energetic Judge alluded to feels, doubtless, that he is not only following, but setting a good

example. It is one of the dispensations of Providence that counsel, as soon as they go on the Bench, forget what manner of men they were. It does not occur, for example, to the Judge, who breakfasts quietly at an hotel and then saunters to the Court House, free from care of household or client, that such cares were, in previous years, also his unhappy portion. It is, of course, very jolly for lawyers to "get up the night before" to attend to these minor matters before Court, and it is good for them to try and look pleasant when their houses, their clients and their offices have been neglected, but some of them are stupid enough to grumble about it, and say they won't stand it, &c. This, however, is all nonsense, they will be Judges themselves some day, and then they will take it out of some one else, and so it will be all right on an average.

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The "Treatise on Punctuation" by a thorough-bred pointer which Tom Hood projected in his imagination would, if an actuality, have small claims upon the attention of the lawyer. He, it is generally believed, is superior to these cabalistic contrivances in the way of stops in order to shorten and elucidate his sentences. "*Jurisconsultus non curat de verbis*" was the pithy maxim of the sage Accursius, and it has been adhered to with great fidelity by the race of lawyers from his day to the present and *a fortiori* by conveyancers. Joshua Williams, in his first book for the use of students in conveyancing, says not without commendable pride "the reader will be struck with the stiff and formal style which characterizes legal instruments, but the formality to be found in every properly drawn deed has this advantage that the