

effect the Court of first instance, and to the appellate branch of the Court was assigned the title of "Court of Appeal." But we think the revisers of the Judicature Act did well to abolish these titles; and to make the chief Court of the province both as a Court of first instance and in its appellate jurisdiction one in name, but whether the title selected was, in the circumstances we have mentioned, the best is we think fairly open to doubt. We are inclined to think the "Superior Court of Ontario" would have been a better selection. Subject to this question of the appropriate name we think that Ontario has set a good example in its judicial system which other Provinces would do well to follow.

#### *UNIFORMITY OF LAWS.*

The desirability of uniformity of law throughout the Dominion is evident, but that it does not in fact exist is constantly making itself apparent. Take for instance the question of mortmain. There ought to be a uniform law on this subject throughout the Dominion. The laws restricting the holding of land in mortmain rest on a principle which ought never to be lost sight of, but which in modern times is apt to be overlooked. It is well known that the possession of property and particularly of landed property gives the possessor a power and an authority which he would not otherwise possess. It is to the manifest advantage and prosperity of the community at large that the possession of the land of the country should be as widely diffused as possible. It is to the manifest disadvantage of any country that the land of the country should get into the hands of the few. In order that the possession of landed property may be widely diffused it is necessary in the interests of the community that it shall be subject to the fluctuations of ownership arising from deaths and marriages, partitions and sales; and it is obviously a manifest detriment to the community if land comes to be vested in hands so that it cannot be sold and in fact becomes inalienable.

The fact that a very considerable part of the land of England had got into ecclesiastical hands and had thus become inalienable was the reason why statutes were passed in England putting re-