

cases to report, and when, instead of the comparatively simple task of putting in shape a written judgment, wherein the judge gives (as is sometimes the case, though less frequently than it used to be) the facts and arguments, as well as his own views and decision, the reporter has to get the complete facts partly from the papers filed, and partly from the counsel, as well as note the judge's remarks as best he may. There is no question as to what *ought* to be done, and what must eventually be done—it is now well done in England—but we do not think the present staff of reporters should be called upon to do more work without increased remuneration. As it is, their time is pretty well occupied and their official duties militate strongly against the obtaining or satisfactorily performing ordinary professional work. In England, of course, this is not so, as the reporters are always barristers who are not expected, as a lawyer here is, to remain most of the day in his office.

Much more could be said in reference to this matter but we shall not pursue it further at present. We gladly however make public part of a recent statement of the Committee of the Benchers on reporting. Their words are as follows:—

“The Committee have great satisfaction in stating that never before has the reporting been so well up in all the courts as at present, and it is hardly possible to expect greater despatch or promptitude than are now used in placing the decisions of the courts in the hands of the profession.”

The position of a reporter is generally a thankless one; the work is wearying and there is more labour about it than many are aware of. Our reporters may have their faults, but we know by practical experience the difficulties and unsatisfactory nature of the position; we have therefore all the more pleasure in publishing the report of this Committee—one of the most efficient committees, by the way, of the Society.

MORTGAGES ON UNPLANTED CROPS.

The wisdom of sustaining mortgages on crops to be sown, from a limited commercial consideration, may fairly be questioned; but, viewed from a farmer's point of interest, the desirability of upholding such securities goes without question. In agricultural countries, where so much depends upon the harvest, it is of paramount importance to a people, that the farmer should have preserved to him those resources and facilities of which he may be deprived by the uncontrollable failure of a season. That the farmer, upon whose skill and labour so much depends, is the first to gain or lose, relatively to his facilities for production, is an argument for sustaining such securities suggested by sentiment; but to have a preservative, to some extent, against hard times, by mitigating his loss, and sustaining the farmer over one bad season is an argument which commends these securities for unanimous support. No more effective illustration of the law of cause and effect can be had than the certainty with which hard times follow upon bad crops. The one is the necessary consequence of the other, and as positive in its succession as that season follows season. In what follows, therefore, we will discuss the subject of our article, and refer briefly to its history.

In those “good old days,” (to use a doubtful aphorism) when law was equity, and the equities always equal, the law prevailed, and equity was as limited and technical in its power, as was the sense in which it was accepted in equity jurisprudence. Law seemed jealous of interference, and equity seemed timid of its more ancient rival; and so the operations of each system were as separate and distinct as are now the principles respectively governing legal and philosophical equity. The disinclination of the two systems to unitedly concentrate towards an acknowledged object, at times produced contrary results, and not unfrequently an-