

PREFACE TO SECOND EDITION.

Since the first edition of this work was issued, in 1888, the Parliament of Canada has passed a number of Acts affecting the Supreme Court, by some of which the jurisdiction of the Court has been extended, and by others the procedure has been altered. The rules of the Court, also, have been to some extent amended, and many decisions have been given on questions relating to its practice and procedure. A second edition will, therefore, be a convenience to those practising before the Court.

The late Mr. Cassels realized the necessity for a second edition some time before he died, but was never able to undertake it. When he requested me to do so in his stead it was his intention to go over the whole of the original work with me and arrange the scope of the alterations and additions to be made, but after carrying out this intention in respect to the first fifty sections of the Supreme Court Act he was obliged to abandon it, and I had to complete it without further assistance.

The form of the original edition has been closely followed, except in one respect. The instructions to practitioners, which in this volume appears in Part I., was, in the former work, a part of the introduction.

Every decision of the Court relating to the construction of the Act, or to points of practice and procedure under it and the Rules of Court down to the October session of 1898, has been noted, and an endeavour has been made to have the index exhaustive as well as accurate.

In 1888 about 800 appeals had been filed in the Court since its organization. At the present time the number is over 1,800. It cannot be claimed that the annual business of the Court has increased during the last few years, but that is to be attributed to the like state of affairs in the Provincial Courts.

C. H. MASTERS.

Ottawa, November 25th, 1898.