

Section 1, however, enacts that it "shall go into effect on such day, not before the first day of September, 1895, as the Lieutenant-Governor in Council may, by order in Council, appoint." No such proclamation has, up to this time, been issued.

We have above referred to the additional clause in this Act giving jurisdiction to the local judge, where "the solicitors for all parties reside in (his) county." As they are new, and as the Act itself has not yet been brought into force, it might be said that this clause is, therefore, not in force, and consequently inoperative.

If we turn, however, to chapter 13, following "The Law Courts Act," we find by section 24 the same words (directed to be grafted on section 11 of 57 Vict., chapter 20, This latter Act is to become repealed when the proclamation issues, bringing into force chapter 12 of "The Judicature Act, 1895." The clause in question in chapter 13 will then, of course, be repealed, but it will at once come into force in chapter 12, by virtue of the proclamation.

About chapter 13 there is this curious thing to be remarked, that while section 1 restrains the operation of certain sections till the proclamation is made, and directs that the remaining sections shall go into effect immediately upon the passing of the Act, yet section 1 itself is one of the former. From this it may be argued that section 1, not coming into force till the proclamation is made, has no present force, and therefore does not prevent the operation of the sections named, so that the whole Act came into force when it was assented to. The answer to this will then be—if the whole Act is in force, section 1 becomes operative, and so restrains the sections mentioned until the proclamation is made. Thus we have, it will be seen, an interesting legal syllogism, the necessity for which could have been obviated by including section 1 with those other sections declared to go into effect immediately.

Although chapter 12 does not come into effect before a proclamation issues, yet it will be found that some of its sections, viz., 79, 87 (2), 89, 96, 115, 124, 128, 129 a., 130, and 185 a. (in part) are now operative, as they correspond respectively to sections 9, 19, 18, 22, 21, 28, 25, 29, 20, and 24, of "The Law Courts Act, 1895"—these sections being among those declared to be in force immediately after the passing of that Act.