

others out of their order for the convenience of counsel, without reference or notice to the other side. This certainly should not be allowed. It is, of course, very reasonable that arrangements between counsel should, as far as possible, and with due regard to the interests of the suitors, be facilitated; but it is quite a different thing when cases are postponed *ex parte*. The solicitor who takes pains to enter his case early on the list has a right to have it heard at the beginning of the Sittings, and he, or rather his client, should not be delayed until the end of the Sittings, or possibly thrown over altogether, because it is not convenient for Mr. A. or Mr. B., engaged on the other side, to take it in its place. The counsel for whose convenience the list is thus "knocked into pi" is usually some much desired leader who has more business on hand than he can attend to. But the client who wants a favorite counsel must, with the supposed advantage of having secured his services, take also the risk of his being elsewhere when his case is called. The practice referred to often works a great injustice to many litigants. The good-natured officials who have charge of such matters would not willingly hurt anybody, but their desire to be civil sometimes results in injustice.

*HON. MR. JUSTICE GWYNNE.*

In the fullness of years, but in the possession of all his faculties, has passed off the scene the last of those judges who take the memory back to a past generation. The eminent judge and courteous gentleman who was laid to rest in Ottawa on January 8th in his 88th year was (with the exception of his personal friend, Senator Gowan, who came from Ireland in the same year, and who still enjoys good health) the last of those who were cotemporaries with him at the Bar and on the Bench. He was, like them, a man of whom the country was justly proud, and who left their mark for good in its character and history.

Mr. Gwynne was born on March 30, 1814, at Castleknock, Ireland, being the son of the Rev. Wm. Gwynne, D.D. Having been educated at the Trinity College, Dublin, he came to Canada in 1832, where he commenced the study of the law, and after being called to the Bar went to England, where he spent some time in the chambers of Sir John Rolt, afterwards Attorney-General of England, and a Lord Justice of Appeal. On his return to Canada