

The Judicature Act (R.S.O. c. 51) as usual comes in for a certain amount of amendment; but chap. 8, by which the amendments are effected, is by chap. 9 declared not to come into operation until 1st December next unless an earlier day is fixed by proclamation of His Honour the Lieutenant Governor.

The principal amendments made by chap. 8 are first the establishment of a new Division of the High Court, to be called the Exchequer Division, to be presided over by a chief justice or two puisne judges.

Sec. 4 empowers the Court of Appeal when composed of less than five judges to direct an appeal to be argued or, if necessary, re-argued before the full court.

Sec. 5 enables the Court of Appeal to sit in two divisions.

Sec. 7, we observe, makes provision for the sitting of a Divisional Court while the assizes are going on.

Sec. 8, we are glad to notice, in effect provides that all Divisional Courts shall be composed of three judges.

Sec. 10 restores appeals from the Master in Ordinary to a Judge in Court. Why the anomaly was created of transferring such appeals to the Divisional Court no one knows.

Sec. 11 provides that where an action is brought on a judgment recovered in Quebec the costs of "obtaining the judgment" are not to be recoverable without a judge's order, which is not to be granted unless the judge is satisfied that the costs were properly incurred, nor if it would have been a saving of expense to have sued in Ontario on the original claim.

By sec. 13 the word "writ" in Rule 162, which relates to service out of the jurisdiction, is made to include "any document by which a matter or proceeding is commenced."

Chap. 11 enables mortgagors of real estate in default, notwithstanding any agreement to the contrary, to pay the principal in arrear on giving three months' notice or paying three months' interest. If he fails to pay according to notice he is thereafter only entitled to make such payment on paying three months' interest in advance. This provision appears to apply only where the mortgagor is in default, and only as to the amount in default. It does not authorize him to accelerate payment of principal as to which he is not in default, and the Act would probably not apply