

FUSION OF LAW AND EQUITY—JOHN WALPOLE WILLIS.

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WE direct attention to the letter of "Q. C.," which will be found in another place. It is the production of a gentleman of experience and ability, and represents views which are to a great extent (we refer to the principles involved, and not entirely to the attendant remarks) in unison with our own, and which are also entertained by a number of thinking men in the profession. We are glad to see the subject again coming up for discussion in our columns; and use the expression "again," for in this, as in many other matters, we may take the credit of being amongst the first who called attention to this most important matter of fusion.

The feeling that there was ground for some material change in a direction similar to that pointed out by our correspondent, gave rise to a commission which issued some years ago, and though no result followed therefrom, the feeling still remains. Combined with this, or perhaps, partly the cause of it, is a desire for completeness and rest. Whilst we admit the value of many recent enactments, there is undoubtedly a desire, amounting to a craving, to be let alone, to have done with this everlasting tinkering, amending and re-amending. Many think that before the desired haven of rest can be reached there must be uniformity as well as completeness in our judicial system.

"Q. C." makes some sweeping statements as to Chancery practitioners, but they are perfectly able to defend themselves, and we shall be glad to hear from them. Our correspondent very properly gives due credit to the early Chancellors and Mr. Mowat for their efforts to improve the Court of Chancery, and we may add without fear of contradiction, that the energy, hard work, and practical common sense of the present senior Vice-Chancellor has of late years done good

service in raising his court in the public estimation. No amount of work or learning, however our correspondent argues, can accomplish that which should be done and could only be done by legislative enactment.

A full and temperate discussion of the subject cannot fail to prepare the public mind for a consideration of it upon its merits; and now, as in times past, our columns are open to any letters which would throw further light upon it.

JOHN WALPOLE WILLIS.

The *Law Times* of a recent date contains an obituary notice of John Walpole Willis, who died at his residence, in England, on the 10th September, at the age of 84. This gentleman was appointed one of the judges of the King's Bench in Upper Canada in 1827, in the same year as James Buchanan Macaulay. He was a barrister of Gray's Inn and was called to the Bar in England in 1816, practicing in the court of chancery. In 1820 he published a book of Precedents of Pleading in Equity, illustrative of Lord Redesdale's Treatise on Pleading, which was well thought of by the profession. Seven years afterwards he published a small work entitled "A Practical Treatise on the Duties and Responsibilities of Trustees." Both these books are to be seen in Osgoode Hall Library.

The name of this judge is not very familiar to the profession of this day, although he must have been a man of considerable character, as we shall presently see. None of his judgments during the brief time that he was judge here, have been preserved in the reports, there having been an interregnum in the series between Trinity Term, 8 Geo. IV. which concludes Mr. Taylor's volume, and Michaelmas Term, 10 Geo. IV. when Mr. Draper's volume began, and it was dur-