

THE announcement that Mr. Justice Proudfoot has resigned his judicial office is not altogether unexpected. For some months past it has been obvious that the affliction of deafness from which he has been suffering has so seriously impeded his ability satisfactorily to discharge his duty as a judge, as to make his withdrawal from the bench a necessity. During the past winter he visited Europe, with the hope of obtaining relief, but, unhappily, in vain, and he has returned to Toronto to resign the office which he has filled for the past fifteen years. He was well read in civil law, but it cannot be said that he was a success as a judge of facts.

And possibly his failure always to draw correct inferences from the facts proved before him, is due to his inability to attribute to others motives for their actions which would be utterly foreign to his own idea of truth and rectitude. Of him may be truly said as of "the man of Ross," that "E'en his vices leaned to virtue's side."

We do not think it can be said of the retiring judge that he will hereafter be remembered as one of our "great" judges. His judgments have been for the most part cold, dry expositions of law, somewhat lacking in that force and originality of expression to be found in the judicial utterances of the great lawyers of the past and of the present day. But we are sure that he will always be remembered by all his contemporaries as a patient, painstaking, conscientious judge, conspicuous for his courtesy to the bar, and one whose even temper it was almost impossible to ruffle.

While it is to be deplored that his grievous affliction should have necessitated his retirement while still in the full enjoyment of his mental powers, it is hoped that in the lecture-room and in the arena of literature he may yet have many years of usefulness before him.

PROVINCIAL LEGISLATION OF 1890.

The extra of the *Ontario Gazette* containing the public Acts passed at the recent session of the Legislative Assembly discloses the fact that at least four-fifths of them consist of mere amendments of existing statutes.

We have on former occasions deplored this passion for amendments with which our Provincial Legislature is affected. It is an expensive luxury, and one not by any means of unmixed benefit to the community.

The Government of the day can no doubt exercise considerable influence in controlling this species of legislation, and it is a pity they do not exercise it on some well-defined principles.

At present it would appear that so long as any proposed amendment is not *per se* positively objectionable, it is allowed to be passed almost as a matter of course; as though the constant tinkering of the statute law was of no moment, and had no detrimental effect.

When we look back on the early history of England, it is surprising to see with how little statute law our forefathers managed to get along. It was not