which we often directed in the certificate are of that description that it would be difficult to make them on the original certificate." Sir Geo. Jessel, M. R., on appeal (46 L. T. N. S. 145), held that Fry, J., was correct in his statement of the practice, and that "a certificate is no more varied than a decree ordered to be varied is varied by touching the actual writing." We may add, moreover, that it never has been the practice in Chancery where a decree was varied on rehearing, to make any physical alteration in the original decree. From what we have said, therefore, we think it is a plain departure from well-established practice to make any physical alteration in the judgments of the Court below, and a practice the introduction of which is very much to be deprecated. All that was done with a decree on re-hearing, to which Patterson, J. A., very properly compares a judgment of the Court of Appeal, was to enter it in the decree book without making any physical alteration in the original decree, or the entry thereof, and this, we think, is all that should be done with a certificate of the Court of Appeal, or of the Supreme Court. As soon as the certificate of the appellate Court is entered in the judgment book of the Court below, such certificate, *ipso facto*, by force of the statute, becomes a judgment of the Court below, and may be enforced as any other judgment. We have referred to this matter at some length, because if the judgment of the Court of Appeal is to be understood as authorising and requiring physical alterations to be made in the records of the Courts below, we think it a matter that is of some importance, and deserving further consideration before it is put in practice. Considering the diversities of opinion which have prevailed, we are inclined to think a rule of Court should be passed definitely settling the practice to be pursued, and the course suggested by Patterson, J. A., in *St. John* v. *Rykert*, is, we think, the one that should be adopted by the Court.

SIR H. GIFFARD ON THE NEW ENGLISH RULES OF 1883.

In the English House of Commons on 11th August last, in the debate on the motion of Sir R. Cross—"That an humble address be presented to Her Majesty, praying that the Rules of the Supreme Court of Judicature, 1883, may be amended," Sir H. Giffard, after referring to petitions from a Committee of the Bar and the Law Society of Yorkshire, which he held in his hand, and upon which the motion was founded, and to the fact that the Government had not framed the rules, or incurred responsibility respecting them, said:

"The coming law which had been drawn up by the Rule Committee of the Judges, if not at once challenged, would soon have the force of a statute, and the only mode in which it could be altered afterwards would be by special Act of Parliament. He hoped that since these rules had been published hon. members had taken the trouble to ascertain for themselves what was the character of this new code of law—for such it actually was—which was rapidly becoming a statute, and which would shortly be binding upon all Her Majesty's subjects. The rules had been published in the form of a bulky volume. Rules of such bulk, and involving such important and numerous alterations of the existing law should not be allowed to become law without full and careful consideration. . . . The power that had been given to the judges by the statute under which they had acted was to frame rules for the regulation of the practice and procedure of the Court, and it was declared that if the rules so drawn up by them should remain unchallenged upon the table of the House for 40 days they should have the force of a statute—the only mode of challenging them being an address to Her Majesty praying that they might be amended. The rules which had been framed by the Rule Committee of the Judges, with their appendices, formed a volume of 417 pages, and the volume comprehended a great variety of matters. . . . These rules affected not merely the practice of the Courts in its popular sense, but in the widest sense, important political rights of the public. . . . . It was proposed by Appendix O. to repeal 22 sets of rules which were existing Acts of Parliament, setting forth