

EDITORIAL ITEMS.

that our contemporary would have had something to say about it.

The Council of Law Reporting in Ireland have communicated with Lord Justice Christian, and have asked him to assist in the preparation of his judgments by giving his manuscript, or by correcting the short-hand writer's transcript of his notes. To this he has replied in effect: "Do not report me at all." This, of course, cannot be, and the Council will have to go on as heretofore, despite the animosity of the irate judge.

A curious question has recently been raised as to the right of official assignees to office room in the court-houses of the different counties. Section 359 of the Municipal Act enacts that County Councils shall "provide all necessary and proper accommodation, fuel, &c., for all Courts of Justice, other than the Division Court, and for all officers connected with such Courts." The Insolvent Act makes (sec. 28, b.) every official assignee an officer of the Court having jurisdiction in the county for which he is appointed, and subject to the summary jurisdiction of the Court or a Judge thereof. An enterprising assignee who thinks that his down-trodden class should have some of the good things that are going, and which have been so far denied them by a grasping and over-reaching public, has made a demand upon a County Council for an office, fuel, light, &c., in the court-house of his county. The question is not free from doubt; and, as the squabble is a very pretty one, we shall not try to spoil it by offering any opinion on the subject. We only remark that if all the County Councils are as mean in their economies as is that of the county in which we now write, and if all court-houses are as dirty and uncon-

fortable as that of the County of York, there is no fear of any official assignee claiming a right to encamp in the musty den that disgraces the metropolis of Ontario.

The idea of a quite satisfactory adjustment of disputes by any system of law has long been abandoned, even if any hopeful party ever dreamed of such an impossible, though much longed for, desideratum. It is, therefore, merely as an incident, that we note the present result of the litigation in *Samo et al. v. The Gore District Insurance Company*, reported in a recent number of the Appeal reports. The defendants had judgment in their favour by the unanimous decision of the Court of Common Pleas. When the case came up on appeal, this opinion was, on the main point, sustained by the Chief Justice of Ontario, but reversed by three Judges of the Court of Appeal. In fact, Patterson, Burton, and Moss, J.J.A., over-ruled Hagarty, C.J., Harrison, C.J., Gwynne, J. and Galt, J. As far as the facts of the suit were concerned, the case seemed a hard one on the plaintiffs, and the Court of Appeal may be right; the result, however, cannot be said to be very satisfactory in its legal aspect. The case, we understand, goes to the Supreme Court. In the last number of the reports of that Court, (of which more hereafter) is published the case of *Johnston v. St. Andrews Church*, on an appeal from the Court of Queen's Bench for Quebec. The first decision in the Superior Court was in favour of the defendants. The plaintiff appealed to the Queen's Bench, and that tribunal by a majority of one out of five judges, dismissed the appeal. The Supreme Court reversed this decision, the Chief Justice and Strong, J. dissenting. That is to say, of the twelve judges who at va-