by default was held by a Divisional Court of Ontario to be final and therefore appealable: *Voight* v. *Orth*, 5 O.L.R. 443.

In the latter case the Court regarded the substantial effect of the order, and, as we think, reached the proper conclusion, that though in one sense the order might be considered to be interlocutory, it was really and substantially a final order as regards the merits of the action. It has been said that it would be a hopeless task to attempt to reconcile the various decisions as to what are "final" and what are "interlocutory" judgments or orders. The only sure rule seems to be one of common sense; does, or does not, the order or judgment in question, finally dispose of the action or some substantial question therein? If it does then it should be regarded as a "final" order, and as such appealable, and if it does not then it should be held to be interlocutory. It is perfectly clear that no appeal could be successfully brought in the *Goodall* case from a judgment on further directions, because the judgment of the Court would be based on the report of the Referee as varied by the Court of Appeal, and until the order of the latter Court is reversed there can be no question that a judgment based thereon would be unimpeachable.

If the Supreme Court's decision is correct it is obvious that it may have a very wide reaching effect, and may be the means of shutting out litigants from any appeal whatsoever to the Supreme Court, in most important cases involving enormous amounts, and it would seem that some amendment of the Supreme Court Act is needed.

JUDICIAL APPOINTMENTS.

In discussing the appointment of justices of the peace, the English *Law Times* makes the following remarks: "Lord Loreburn is to be congratulated upon having sternly resisted all political pressure to equalize the politics of the magisterial Bench, and we, in common with the rest of the profession, are fully satisfied that in making these inferior judicial appoint-