

EDITORIAL ITEMS.

THE *Solicitor's Journal* notes the practice henceforth to be followed at the Rolls on motion to vary minutes. Sir George Jessel announced that the only question to be argued was, what was the actual order made: he would not allow the case to be re-argued. The only exceptions were when both parties consented to something being added to the minutes; or, as sometimes happened, when it could not be ascertained what order had been made. In the latter event, the case might be put on the paper to be argued again. This has long been the practice in the Court of Chancery in Ontario.

THE *Law Times* again falls foul of the "authorized reports," and suggests the propriety of "something superior to the present sleepy supervision" of them. The writer says:

"In the current part of the Chancery Division reports we find a case of *Morgan v. Elford*. The report extends from p. 352 to p. 388—thirty-six pages! Nineteen of those pages are devoted to a judgment of Vice-Chancellor Malins setting out elaborately the evidence upon which he came to the conclusion that the defendant had been guilty of fraud. On this very evidence the Court of Appeal came to the conclusion that the defendant had done nothing inconsistent with the nicest sense of honour or with the most scrupulous integrity! The legal principle upon which the Vice-Chancellor founded his judgment was not noticed by the Court of Appeal, and this report, therefore, is a report of conflicting views on questions of fact, and is a gross imposition upon subscribers—as gross as the famous Consolidated Digest."

ONE result of the English Judicature Acts has been to increase enormously the amount of business in the Court of Chancery, so that the accumulation of work has occasioned what is commonly spoken of as "The block in the Chancery Division." The improvement in the procedure is credited with giving this additional impulse to litigation. Besides this,

the mode of trial involving the reception of *viva voce* evidence before the Judge, considerably lengthens those parts of the case which require judicial interposition. This has also been noticed in Ontario, where the present practice of examining the parties both at law and in equity, has occasioned an unusual consumption of time in the trial and hearing of causes. It is said that the remedy to be applied in England, is an increase of judicial power, by the appointment of a new Judge to be attached to the Chancery Division.

WE learn from the *Albany Law Journal* that New Jersey means to put an end to railway employee strikes, its legislature having passed a bill making it a misdemeanor for any locomotive engineer in furtherance of a strike to leave his engine at any other point than the scheduled destination of the train, and also making it a misdemeanor for any railway employee, for the purpose of lending assistance to a strike, to refuse to aid in moving trains, or for any person to obstruct the operation of trains, or do other acts for a like purpose.

Mr. Blake's bill now before the House of Commons, provides that whosoever, being under a contract of service with a railway company carrying mails or passengers, wilfully and maliciously breaks any such contract, believing that the probable consequences will be to delay or prevent the running of trains, shall be subject to fine or imprisonment. The object aimed at is identical, and the necessity for some such provision is manifest.

IN a case reported in the *London Times* of *Republic of Costa Rica v. Erlanger*, Malins, V.C., held, that a solicitor while engaged in the execution of his duty in the conduct of a cause, as a solicitor there-