

THE NEW RULES—LAW SOCIETY.

The Rule in question appears to have introduced a *tertium quid*, and what its meaning is, only judicial decision can settle. A writ may issue in Toronto, and proceedings to judgment may be carried on there, but the judgment may, as is frequently the case, direct a reference to Whitby, Sarnia, or some other place where the proceedings on the reference will be carried on. Under such circumstances, where is the report to be filed? Is it to be filed in the office where the writ issued, or in the office of the Master who conducts the reference, or the office of the local registrar, deputy registrar, or deputy clerk of the Crown at the place where the reference is carried on? This would do as a poser in practice at the law students' examinations, but we fear the Examiner himself could not answer it. Before the report can be acted on by issuing execution, or payment of money out of Court thereunder, it must be duly confirmed. How is the officer, called upon to act under it, to be certified that it has been filed in the proper office? It is really a pity so simple a matter should be involved in so much unnecessary obscurity and confusion.

The old practice in the Chancery Division as to setting down causes to be heard at the weekly sittings of the Court is abrogated by Rule 600, and causes may now be set down the day before the Court sits.

Rule 601 provides that whether the cause of action does or does not survive, the death of either party between verdict and judgment shall not prevent the entry of the judgment. This Rule is taken from the English Rules of 1883, Ord. 17, r. 1; a somewhat similar provision is to be found in R. S. O. c. 50, s. 236. The latter section, however, provided that the judgment must be entered with two Terms after the verdict.

Rules 602-603 provide for there being

henceforth but one Roll of solicitors of the Supreme Court, which is to be in the custody of the Registrar of the Common Pleas Division.

Rule 604 says: "*Mutatis mutandis*, the Roll and Rolls for barristers shall be in the same form and custody as the solicitors' Roll and Rolls," and this we take leave to say, in conclusion, is a very slipshod way of framing a Rule.

LAW SOCIETY.

TRINITY TERM, 49 VICT. 1885.

The following is the Resumé of the proceeding of the Benchers published by authority:—

Proceedings of Convocation on

FRIDAY, 18TH SEPTEMBER, 1885.

Convocation met.

Present — Messrs. Falconbridge, Ferguson, Foy, Fraser, Hoskin, Irving, Kerr, Maclellan, Morris, Moss, Murray, Robinson and Smith.

Mr. Irving was appointed Chairman in the absence of the Treasurer.

The minutes of last meeting were read and approved.

Mr. Moss, from the Legal Education Committee, reported on the cases of Messrs. Forin, Flint, Howard and Brooke, that under the North-West resolutions they were all entitled to be called to the Bar, and receive Certificates of Fitness.

And on the cases of William Morris and E. W. H. Blake, that they were entitled to be allowed their second intermediate examinations.

The report was received, read, adopted and ordered accordingly.

Ordered, that Mr. A. C. Gibson be allowed his first intermediate examination under the same resolutions.

On the report of the Legal Education Committee, it was ordered that Mr. A. C.