

## PREFACE TO FIRST EDITION.

Some eight years have now elapsed since the publication of the second edition of Mr. Cassel's book on the practice of the Supreme Court of Canada. An apology, therefore, is perhaps unnecessary for the appearance of this volume dealing with the jurisprudence and practice of the Court.

In view of the fact that the sections of the old law relating to the appellate jurisdiction of the Court have been entirely redrafted in the Revised Statutes of 1906, and may give rise to the false impression that the revision has made some alterations in the law, it may not be out of place here to state the reasons which led the Commissioners to exercise in this case to the fullest extent the power vested in them by the Statute 3 E. VII. ch. 61, which authorized them, in consolidating the statutes,

"to make such alterations in their language as are requisite in order to preserve a uniform mode of expression, and make such minor amendments as are necessary to bring out more clearly what they deem to be the intention of Parliament, or to reconcile seemingly inconsistent enactments."

In March, 1903, the writer sent to the Attorneys-General and Bar Associations of Canada a pamphlet, accompanied by the following circular-letter:—

"*Sir*,—The Commissioners for the revision of the Statutes of Canada have allotted to the undersigned the work of revising in the first instance 'The Supreme and Exchequer Courts Act.' After considering the proceedings in Parliament when the different amendments to the original Act were made, and after reviewing the many decisions of the Supreme Court which deal with its jurisdiction, the writer has been impressed with the desirability of recasting those sections of the Act, by which the appellate jurisdiction of the Court is conferred.

"The matter having been brought to the attention of the Honourable the Minister of Justice, he has instructed the