

# Canada Law Journal.

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## DIARY FOR NOVEMBER.

16. Fri. . . . Wilson, J., Q.B., and Gwynne, J., C.P., 1863.  
18. Sun. . . . *Twenty-sixth Sunday after Trinity.* Hagarty,  
C. J., sworn in C. J. of Q. B., Wilson, J., sworn  
in C. J. of C. P., 1878.  
21. Wed. . . . Princess Royal born, 1840.  
25. Sun. . . . *Twenty-seventh Sunday after Trinity.* Lord  
Lorne, Gov.-General of Canada, 1878.  
27. Tue. . . . Cameron, J., sworn in Q. B., 1878.  
30. Fri. . . . Moss, J., appointed C. J. of Appeal, 1877.

TORONTO, NOV. 15, 1883.

AN addition has been made to the existing aids to practice in the Notes of Practice Cases just published by Messrs. Lefroy and Cassels, as to which we will merely say that we hope that the largeness of its utility compared to that of other works on practice, will prove to be in inverse proportion to the smallness of its dimensions.

WE are indebted to Mr. Fenton, the Crown Attorney of the County of York, for the report of the Sunday shaving case, which excited a good deal of interest at the time, but which for some reason or another, has never found its way into the regular reports. This judgment appeared in one of the daily papers, but it is desirable that it should be preserved for the use of the profession in some more permanent and accessible place. We therefore make no apology for reprinting it even at this late date.

THERE is no objection to complaints being made as to anything that may be defective in the arrangements at Osgoode Hall, or such other matters affecting the profession as are

under the control of the Benchers; but it is only fair that such complaints should first be made to that body, either directly or at least through the medium of a legal journal. We presume the Benchers would be glad to remedy any evil in their power; but should they fail or refuse to do so it would then be time enough to publish the grievance in the daily papers. The members of the Law Society are, as it were, members of a legal club. It would be looked upon as an outrage if a member of a social club rushed into print whenever he thought something was wrongly done. A letter recently published in a daily paper, on a trivial matter at Osgoode Hall, is the text for these remarks, which are also of more general application.

WE publish in our present number an article which we think will be read with interest, and perhaps provoke some discussion on the relation between leading and junior counsel in connection with the conduct of the argument of a case. It will be remembered that in the *International Bridge Co. v. Canada Southern Ry. Co.* 7 App. 228, Spragge, C., said:—"We think that junior counsel are not at liberty to take positions in argument which conflict with the positions taken by their senior counsel." This, however, was the *dictum* of the Chancellor alone, and, though the other judges of appeal did not consider it necessary to revert to the point, it does not necessarily follow that they would, had it been of material importance, have concurred in it. The junior counsel in the case had, as a matter of fact, been heard, and therefore the question was not important to the actual decision of the case. When the case was brought up before the Privy Council mention