

# THE LEGAL NEWS.

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## *CURRENT TOPICS AND CASES.*

Since the amendment of the Code of Procedure by 55 Vict. c. 49 (A.D. 1890), appeals are entered upon the roll for hearing as soon as the parties have filed their appearance. The law requires that each party shall file his factum within fifteen days after judgment upon the exceptions or demurrers if there are any to the proceedings, or within fifteen days after the expiration of the delay for filing appearance. But in practice this seems to be almost totally disregarded. Indeed, the fact that the case now gets a place upon the roll for hearing before any factum is filed by either side, seems to have made counsel more dilatory than ever in producing their factums. The result is that on the March roll at Montreal, out of 77 cases which appear there, only four are indicated as complete with the factum filed by both parties. There are 17 others in which one of the parties has filed his factum. Under the old system, therefore, of not putting cases on the printed list until one factum at least had been filed, the March roll would contain only 21 cases instead of 77. The court may find it desirable to regulate this matter in some way, as at present it is impossible to form any idea from the printed list as to the cases which are coming on for hearing.