

THE PROVINCIAL LEGISLATION OF 1887.

been compelled to stop supplying the profession with the Supreme Court reports, and when legitimate expenses are thus cut down, it seems a little strange that the funds of the Society should be applied towards objects which it is the duty of the Government of the Province to provide for, and which are in no sense within the legitimate sphere of the Law Society. Such an expenditure of the funds of the Society, we should think, is clearly *ultra vires*. The profession pay taxes enough to the Government in the shape of law stamps, and we do not see that their governing body should go out of its way to assume a burthen which ought properly to be borne by the Provincial exchequer.

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DURING the past session the Legislature added about one hundred new Acts to the Statute Book. About one-half of these are public Acts and the rest are private. These Statutes cost the country, at a moderate computation, about \$1,000 a piece; but we very much doubt whether any individual in the community would think that the whole batch is worth anything like the average cost of one of them.

A more senseless waste of public money than is presented year by year in the pages of the Statute Book of Ontario it is difficult to conceive.

Those Acts which are considered of public importance are printed, as usual, in a supplement of the *Ontario Gazette*, and they number, all told, thirty-six—and many even of these have merely a local importance. The first of general interest is styled "An Act for Further Improving the Law," and consists of a dish of scraps, compiled very much on the principle of every member dropping into a bag a section on any subject which happened to

come into his mind. We suppose when the Revised Statutes come out at the end of the year this strange chaotic medley will be reduced to order. At present it is a confused jumble of every conceivable subject. It begins by amending the Interpretation Act in some trifling particulars, then it touches up the Election Act, then it provides for the division of the Shrievalty of York in order to make two offices instead of one—a step which the Attorney-General is probably already sorry for. Then we see that some man who wishes further to decrease poor Sheriff McKellar's fees has got in a section to compel Sheriffs to include any number of names in the same certificate. Then we have a delicious little piece of legislative blundering, which, if literally construed, virtually repeals the Petition of Right Act. The section in question amends R.S.O. c. 59, and provides that that Act shall not entitle a subject to proceed by petition of right in any case in which he would not be so entitled under the Acts heretofore passed by the Parliament of the United Kingdom, and inasmuch as in no case did the Acts of the United Kingdom enable a subject to sue by petition of right in Ontario, it follows that the petition of right procedure is virtually abolished, but for the rule laid down by the Privy Council in *Salmon v. Duncombe*, 11 App. Cas. 627, which will possibly enable the courts to construe the Act to mean what the Legislature intended, and not what it has said. Another section enables the court to order a sale of lands taken under a writ of attachment before the lapse of twelve months. Then the Act relating to the transfer of real property comes in for attention, and persons having powers are enabled to validly contract not to exercise them. The Act respecting trustees and executors and the administration of estates is amended by the next section. The amendment