

THE NEW VICE-CHANCELLOR—ANNOTATED EDITIONS OF THE JUDICATURE ACT.

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The appointment of Mr. Thomas Ferguson, Q. C., to the vacant seat on the Chancery Bench has been well received by the profession. He is known very favorably to his brethren at the Bar, and we join with them in congratulating him on his promotion. Though, perhaps, best known to the public up to the present time on circuit, and as a successful advocate before a jury, he is known at Osgoode Hall as a sound lawyer, and will prove a painstaking, industrious, and, we are sure, a very satisfactory judge. Mr. Ferguson will bring to bear on his work a large fund of shrewd common sense; and, having knocked about the world a good deal, has a familiarity with the practical details of work-a-day life, which will be of great use in the position in which he has been placed.

Mr. Ferguson was called to the Bar in Trinity Term, 1862, having studied with the late Henry Eccles, one of the most gifted men that ever entered the ranks of our profession. In March, 1876, Mr. Ferguson received his silk at the same time as the present Chief of his Court. He has, during the past few years, rapidly come to the front as a counsel; and the firm of which he was the head have enjoyed a large share of the legal business of the country.

ANNOTATED EDITIONS OF THE JUDICATURE ACT.

The inevitable necessity that a much legislated for profession should read, mark, learn, and inwardly digest the Judicature Act is gradually forcing itself upon their consideration. It is gratifying to know, however, that learned annotators are doing their best to make the dose as agreeable as possible.

The body of the work prepared by Messrs. Taylor and Ewart, has, through the courtesy

of their enterprising publishers, Messrs. Carswell & Co., just been placed in our hands. The sheets of Mr. Maclellan's book have also been sent to us for perusal. Both volumes will be ready for distribution in a few days, and as we presume all sensible people will buy both, we can well leave any comparison as to their respective merits to a critical examination by a critical profession in the long vacation. We cannot pretend in the short time that has been given us to do more than speak of them from a very cursory glance before we go to press.

The alterations made in the nature of the pleadings, and the steps to be taken in an action, are of course fully noticed, explained, and compared with the former practice; and necessarily much of the information is the same in both volumes.

Mr. Maclellan's work is a compact, well arranged volume, though not so bulky as that of Messrs. Taylor and Ewart. In it he treats fully of the new and extensive rules, in regard to the joinder of cases of action, and joinder of parties and pleadings. Some of the most important features in the act must be carried out by means of procedure which is entirely new to the Ontario practitioner, and it is to these that the learned author seems to have devoted special attention. Amongst the provisions for facilitating a plaintiff, we might mention those rules which enable him, where he has specially indorsed his writ, to call upon the defendant to shew cause why judgment should not be signed forthwith before any pleadings have been delivered. Amongst the provisions of benefit to a defendant are those which enable him by counter claim to set up in answer to the plaintiff's claim, any cross demands that he may have, whether liquidated or not, subject only to the discretion of the Court to exclude the counter claim, if it cannot be conveniently disposed of in the action. Again, there are the rules which, to avoid multiplicity of suits, enable a defendant to bring into the action third parties against whom he may have a