

## The Legal News.

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### THE STAMP QUESTION.

The *Canadian Law Times*, referring to *Dickson v. Normandeau* (6 L. N. 136), says that the decision in *Bradley v. Bradley* (5 L. N. 425) is not to be taken as an index of either judicial or professional opinion in Ontario upon the subject matter of the case, and it adds: "We believe the point came expressly before the learned Chief Justice of the Common Pleas *anisi prius* not many months ago, and was decided by him without any hesitation, according to the only enlightened view that could be taken of it," (i.e., allowing the note to be double-stamped.) It appears, therefore, that the decisions of the Ontario Courts are nearly unanimous upon the question, the opinions of County Court Judges, though often very respectable in point of ability, not ranking high as precedents. We have thought it well to refer to the point once more, as we printed in a recent issue the decision of a Superior Court Judge in a contrary sense.

### PRIVATE BILLS.

The last issue of the *Canada Gazette* contains the following announcement with reference to applications for private bills:—

"And further, with respect to the House of Commons, it is ordered under Resolution of 20th April, 1883, that—

"All Private Bills for Acts of Incorporation shall be so framed as to incorporate by reference the clauses of the General Acts relating to the details to be provided for by such Bills;—special grounds shall be established for any proposed departure from this principle, or for the introduction of other provisions as to such details, and a note shall be appended to the Bill indicating the provisions thereof, in which the General Act is proposed to be departed from;—Bills which are not framed in accordance with this Rule, shall be re cast by the promoters, and reprinted at their expense, before any Committee passes upon the Clauses."

### CARTER v. MOLSON.

We print in this issue the judgment of the Privy Council in *Carter v. Molson*. Their lordships say: "It may well be doubted whether the majority of the Queen's Bench have not given too much effect to the accident that the Codes did not come into force on the same day;" and they are disposed to say that the Codes should stand together and be construed together; but they do not find any way of escape from the difficulty occasioned by the omission of the Code of Procedure to enact the penalty of imprisonment on the person refusing to perform the duty which Art. 766 of the Code of Procedure expressly requires him to perform. The case must, therefore, be added to the category of omissions which a too hasty codification has created.

### CONSOLIDATION OF STATUTES.

Our readers are aware that a Commissioner (Hon. J. Cockburn) has been engaged in the work of classifying the statute law of the Dominion of Canada. A report has just been issued, from which we glean some details respecting the progress of the work.

The Commission recites in substance "that whereas it has become necessary to revise and consolidate the Statutes of Canada, and whereas each of the Provinces of Canada before Confederation possessed Legislative authority over and passed laws in respect to matters now within the exclusive legislative control of the Parliament of Canada;

"And whereas the British North America Act continued these laws in force until repealed or altered by the Parliament of Canada, some of which have been so repealed or altered, some remain still laws of the Province in which they were enacted, some are local in their nature, not capable of being extended to the whole of the Dominion of Canada, while others might properly be extended to the whole, or other parts of Canada, and it is probable that some of them should be entirely repealed;

"And whereas certain schedules of Acts requiring examination have already been prepared, and whereas for the proper revision and consolidation of the Laws of the Dominion of Canada, it is necessary that further examination, collection and classification of the several Statutes of Canada should be made."