

that, to use the words of Rule 183, 'A proceeding shall not be defeated by any formal objection, but all necessary amendments shall be made upon proper terms as to costs and otherwise, to secure the advancement of justice, the determining of the real matter in dispute, and the giving of judgment according to the very right and justice of the case.' No doubt the interference of legislatures with the normal development of common law and procedure has served a good purpose and is justified by history.

It has continued long enough, however, to have fully impressed its lesson upon the mind of all the ministers of justice on the Bench and at the Bar, and it may now be retired in favour of the older method of allowing the law, at least so far as practice and procedure are concerned, to be developed solely through the instrumentality of its experts. No theory is more crude than that which maintains that our legislatures are more expressive of the public will and more responsive to public ideas of right than our courts. The courts are composed of judges and attorneys-at-law, who like all other men are impressed by the influence of the spirit of the time."

Mr. Amram in speaking of our Judiciary draws a comparison between the condition of things in this country and those in the United States, which must have given food for thought to his hearers. He says:—

"There is hardly any criticism of judges or courts in Ontario. The spectacle furnished by the United States in which the courts of justice are daily, I might say hourly, held up to criticism, ridicule, contempt and even vituperation excites unbounded surprise across our northern border. The people of Canada are satisfied with their judges and their administration of the law, and yet they have absolutely nothing to do with their selection or appointment. What do the people want? They want justice. If the judge is able and upright, they are satisfied. It is not true that citizens of this country will not be satisfied with the judgment of a judge from another country, whom they have not helped elect. The citizen wants the law of Pennsylvania applied honestly and fairly to his case and he cares nothing about the resi-