

# Canada Law Journal.

VOL. XXII.

JUNE 1, 1886.

No. 11.

## DIARY FOR JUNE.

1. Tue....Maritime Court Sittings begin.
3. Thur...*The Ascension Day.*
4. Fri....Lord Campbell born 1751.
5. Sat....Easter Sittings of Q. B. and C. P. Div. end, unless shortened or extended by Rule of Court.
6. Sun. . *Sunday after Ascension.*
7. Mon....Sitting of Supreme Court of Canada begin.
8. Tue....C. C. Sittings for trials commence, except in York.
13. Sun....*Whit Sunday.*
14. Mon....C. C. York term begins.
15. Tue....Magna Charter signed 1215.

TORONTO, JUNE 1, 1886.

WE notice in a recent issue of the London *Times* a paragraph stating that arrangements are in progress for the opening of a telephone office at the Royal Courts of Justice for the convenience of barristers, solicitors and other subscribers who may have business there, and that the office is expected to be completed and opened very shortly. We have had these facilities for some years past, and it is pleasant to see that civilization is marching eastward. Perhaps the march has indeed been westward, and has got round to England across the intervening continents.

Several of our subscribers have recently drawn our attention to what they claim to be the character of judicial work that prevails in Ontario at present, and not the least so in respect to judgments delivered by some of the judges at Osgoode Hall. It is asserted that they are too often "slipshod" and careless, more in the nature of lay awards than legal judgments—not the strict application of accepted principles of law to a certain state of facts. It might be found well to refer to this subject more at

length, as there would appear to be some ground for the complaint. An article in the pages of our English namesake, which we republish in another place, has some observations which are not entirely inappropriate to the views which our friends alluded to above would seem to hold.

## THE VENDORS AND PURCHASERS ACT.

IN 1876 a useful provision was placed on the Statute book enabling many controversies between vendors and purchasers to be disposed of by the Court of Chancery in a summary manner which could formerly have only been determined by a suit. This provision is embodied in R. S. O., c. 109, s. 3, and was copied from the Imperial Statute, 37 & 38 Vict. c. 78, s. 9. It provides that "a vendor or purchaser of real or leasehold estate, or their representatives respectively, may at any time or times, and from time to time apply in a summary way to the Court of Chancery or a judge thereof in respect of any requisitions or objections, or any claims for compensation, or any other question arising out of or connected with the contract (not being a question affecting the existence or validity of the contract); and the judge shall make such order upon the application as to him appears just, and shall order how and by whom all or any of the costs of suit incidental to the application shall be borne and paid."

The advantages which the Act holds out for the summary disposition of questions of title have not been so extensively recognized as they deserve. Latterly,