

NEW RULES OF COURT.

counsel for the appellants had a certified copy of the shorthand writer's notes of the evidence in Court, and were ready to proceed. The regulation requiring copies of evidence to be furnished for the use of the Judges in this Divisional Court is (as far as we know) a mere private verbal regulation of the Judges of the Chancery Division, and is intended, we presume, to facilitate them in hearing causes; but, so far, it has not been embodied in any rule of Court; and the dismissal of causes merely because this regulation has not been complied with, seems to us rather a high-handed proceeding, and one of doubtful legality. The Judges of the Chancery Division have no power to make rules of Court, and yet the regulation in question is very like an attempt to do so. The regulation is not an unreasonable one, but at the same time, before any penal consequences can be attached to its non-observance, the profession have a right to demand that it be so formally and publicly and authoritatively promulgated, that there can be no reasonable excuse for ignorance of its existence. Country practitioners can hardly, in reason, be expected to be informed of every notice which may temporarily appear on the notice boards of the Courts.

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We have great pleasure in calling attention to the following new rules of Court, dated Dec. 17th. Of Canadian lawyers it may, indeed, be said, to adopt the epigram of Mr. Secretary Evarts—their pride is the wealth of their clients and the poverty of themselves. The latter portion of this principle may, however, be carried too far, and it is refreshing to see that at last the profession in this country has done something for themselves. Probably in no portion of the British Empire is the legal profession worse paid than in

this, or has more work to do for the money. Lawyers know the expense, the delay, and the labour which it takes to fit a man for the legal profession; the general public do not. If lawyers do not look after their own interests no one else will do so. And these two rules which curtail the office hours while they tend to make a slight addition to the remuneration of practitioners, are in our opinion expedient and good. It is needless to point out how the length of office hours necessarily depends on the hours of the day limited for the service of papers, though possibly 4 p.m. is a trifle too early to fix as a limit. In conclusion, we think we are at liberty to mention the name of Mr. C. J. Holman as the gentleman to whose energy this change in the hours of service is mainly due. *Palmar qui meruit ferat!*

The rules are as follows: (1) It was moved, seconded and ordered, that the taxing officers shall have power to allow increased counsel fees in Chambers to an amount not exceeding \$10. This order is to be substituted for item 166 in the order of the 10th September, 1881, respecting the tariff of charges. (2) It was further moved, seconded and ordered, that rule 459 of the Judicature Act be rescinded, and the following substituted:—“Unless otherwise specially ordered in the particular case, service of pleadings, notices, summonses, orders, rules, and other proceedings shall be effected before the hour of 10.15 o'clock in the afternoon, except on Saturdays, when it shall be effected before the hour of two o'clock in the afternoon. Service effected after four o'clock in the afternoon on any week-day except Saturday shall be deemed to have been effected on the following day. Service effected after two o'clock on Saturday shall be deemed to have been effected on the following Monday.” This order shall take effect on and after the 2nd day of January next.
