

THE NEW RULES.

the fact that the Scott Act is virtually "An Act for the Prevention of Crime," and that this quality distinguishes it from any of the other cases, turning on the right of the Dominion or Provincial Legislatures to deal with the questions of the sale of intoxicating liquors. The argument in the opinion is on the whole sound, though its statement that drunkenness "is the parent of *all* the more violent offences," is too wide, though it is directly or indirectly of a vast number of them.

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On the 4th January last a batch of new Rules was passed by the Supreme Court. For some reason or other, known only to the initiated, these new Rules are called "Orders." Probably this is due to a somewhat Chinese copying of the mode in which the English Rules of 1883 are framed. Not being among the initiated, however, we should have preferred the word "Rules," to have been continued, if only for the sake of uniformity.

The first of these new Orders or Rules, Nos. 550-581, relate to the Accountant's office, and, with some slight variations and additions, appear to be adapted in the main from the General Orders formerly in force in regard to the Accountant of the Court of Chancery. The Chancery Orders, however, which regulated the payment of money into and out of Court, for some reason not apparent to us, have not been adopted.

So far as they go, the new Rules are better adapted to the regulation of the Accountant's department than the provisions of sec. 121 of the C. L. P. Act, which, by Rule 476, was made applicable thereto. Rule 476 is not in terms rescinded; and the Accountant, therefore, is still by law required in the month of January in every year to prepare a statement of all moneys paid into and out of Court,

and a statement of the condition of the various accounts upon the 31st day of the preceding December, and transmit a copy thereof to the Provincial Secretary, and to each of the thirteen judges of the Court, verified by a declaration of its accuracy. As the number of accounts in Court probably exceed a thousand and extend through some two dozen large folio ledgers, this must prove a very simple and useful proceeding! It seems, however, a pity that while the judges were about it they did not get rid of what is a manifest absurdity, and abolish a regulation which, from the nature of the case, cannot possibly be carried out. Rule 567 provides for the appointment of one or more auditors of the books in the Accountant's office. We understand Messrs. J. H. Mason and W. Fitzgerald, the lately appointed Inspector of Insurance Companies, have been appointed auditors.

Passing to the other Rules, No. 582 provides that all judges' orders made in chambers at Toronto are in future to be signed by the Clerk in Chambers. This assimilates the practice in the different Divisions. Rule 583 provides for the entry, in the same manner as judgments, of all orders made in chambers for administration or partition, also for the entry in full of various other orders, and is an adaptation of Chancery Order 594.

Rule 584 once more restores to the Master in Chambers the power of ordering money to be paid out of Court, except upon applications under Chy. Ords. 639-640. The Rule is expressly declared, however, not to extend to any Local Master or local judge.

All applications for sale, mortgage, or lease, or other disposition of infants' estates are, under Rule 585, henceforth to be made to the Master in Chambers, and no reference is to be directed to any Local Master except by leave of a judge of the Chancery Division; and by the following