

Canada Law Journal.

VOL. XL.

JUNE 15, 1904.

NO. 12.

The subject of Trade Unions, with all that these combinations involve, has become one of great importance and interest in these latter days. An able discussion of one branch of the subject is given in this issue. We notice in the last number of the *Harvard Law Review* an article from the pen of Mr. A. V. Dicey on the combination laws as illustrating the relation between law and opinion in England during the nineteenth century. The aim of the writer is to trace out the close connection during the past century between the development of the law and the varying currents of public opinion affecting this subject. This article may be read with profit and interest in connection with the more practical treatment of just cause and excuse in labor disputes, by Mr. F. E. Hodgins, K.C. : post p. 410.

HON. MR. JUSTICE FERGUSON.

By the death of Mr. Justice Ferguson the High Court of Justice for Ontario has lost one of its best and most experienced judges. Appointed to the Bench in 1881 his judicial career extended over nearly a quarter of a century, and practically synchronised with the change wrought in the practice and procedure of the courts by the Judicature Act. He had naturally a judicial mind and was moreover a sound lawyer, and as he was well versed in both common law and equity he found no difficulty in conforming to the new ideas which the Judicature Act embodied. It would be untrue to describe him as a very alert or quick minded judge; on the contrary his physical and mental characteristics were essentially deliberate and ponderous, but, like the tortoise in the fable, although he was slow he was sure, and succeeded in inspiring general confidence in his judicial ability, both from the soundness of his understanding and the patient and laborious attention he was accustomed to bestow on every case that came before him. His slow and cautious way of arriving at conclusions was, perhaps, rather favorable to criminals tried before him, as they were sure to have nothing unduly preferred against them, and so fearful of doing injustice was he that in some noted cases verdicts of acquittal