

the prohibition reference, seems to be fully sensible of the embarrassment which might be caused hereafter by replies not fully weighed and considered. The matters involved in the reference have therefore been retained under advisement for an unusual length of time, and the answers assume the form of an essay on the subject, rather than the yes or no which seems to have been expected in some quarters. The task has, naturally, proved to be of much greater difficulty than the decision of an actual cause, and bears more resemblance to the drafting of a statute than the determination of a suit. It is not surprising, therefore, that even the astute deliverance of Lord Watson has hardly been able to satisfy the expectations of those who favoured the reference, and even after the Supreme Court and the Judicial Committee have passed upon the matter something seems yet to be desired. Although the principal points are fairly elucidated, and the opinion of the Judicial Committee is undoubtedly of great value, it is evident that legislation on the subject will not be unattended by difficulty and risk of litigation. The Judicial Committee when an actual case comes before it will be in a fairer position to deal with the subject.

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The near approach of the general elections did not encourage the belief that the May term of the court of Appeal at Montreal would be a very active one, and the appearance of the list answered the anticipation, for it contained but 32 cases,—the lowest number, we believe, that has appeared in an Appeal list for the last quarter of a century. Only 14 new cases had been added since the publication of the March list, and of these four were from country districts. Many counsel being actively engaged in their constituencies, there was a tendency to let cases stand over, and only ten were actually heard, the term closing on the 22nd May. The next term will probably witness a re-awakening of activity in preparing cases for argument.