

## LAW STUDENTS AND ARTICLED CLERKS—THE SUPREME COURT.

clerks in their studies, have acceded to our request to allow us to publish the former questions of the several examiners at the examinations for call, fitness, and fourth year scholarships. We are sure that this will be appreciated by the parties concerned. If properly applied, a consideration of all questions, fairly and clearly propounded, cannot fail to be of much assistance to students in their reading.

We shall be glad to hear from our young friends on any subject of interest to them. In the meantime, we begin our part by publishing, under an appropriate heading, the questions put at the last examination for certificates of fitness. Next month we propose to publish further papers, giving a certain portion at intervals.

### THE SUPREME COURT.

It was our unpleasant duty last year to allude to the discreditable manner in which the work of reporting the cases in this court has been done. We shall hope shortly to see a marked improvement.

A correspondent in the same number called attention to the long leave of absence granted to a learned judge from Ontario, at a time when it was important in the public interests that he should be in Ottawa. We are glad to notice in the daily papers that he does not, at present at least, intend to avail himself of the leave. There are still some matters in relation to this most important tribunal which seem to us to invite discussion.

Complaints have been freely made that there has been undue delay in giving judgments in cases argued in the Supreme Court. We are not in possession of data sufficiently definite or accurate to enable us to say to what extent these complaints are warranted. But we can speak positively of one case, *The Queen v. Severn*, in which an

important question was raised as to the jurisdiction of the Ontario Legislature to pass an Act to impose a license fee on brewers carrying on a wholesale business, and licensed under the Revenue Acts of the Dominion Parliament,—heard at the last June Sessions of the Supreme Court, and not yet disposed of. The collection of the license fees is delayed, and the business position of an important trade unsettled, in consequence of this delay. It may, in fact, be said that the question in dispute in *The Queen v. Severn* has been standing for judgment since the June Sessions of 1876, when the case of *The Queen v. Taylor* was argued on appeal from the Court of Error and Appeal for Ontario. In the latter case the same question was raised, and the whole case was fully argued. The Court then took the objection that they had no jurisdiction to hear any case in which judgment had been argued previous to the 11th January, 1876, the date of the proclamation calling into exercise the judicial functions of the Court. Both parties to the appeal were anxious to have the principal question settled, but the Court felt themselves debarred from entertaining it, and the appeal was quashed on the objection raised by the Court. Judgment quashing the appeal was delivered in June, 1877, and the case of *The Queen v. Severn* was prepared by consent, and set down and argued the June Sessions, 1877, since which time, as before mentioned, it has been standing for judgment. Many other important cases between private parties were argued at the same Sessions, in none of which, except the *Charlevoix Election case*, has judgment been given.

When it is considered that the Court has the most ample powers of adjournment, and of convening a sessions it is hardly too much to say that the delay which has occurred in delivering judg-