

resolution of the Bar Association which gave rise to this article. The author there says:—

“It is now generally considered that the words ‘just and agreeable to equity and good conscience,’ have not reference merely to the (practically) limited equity administered by the Court of Chancery, but refer to something more than that, and signify what has been termed ‘natural equity,’ or that which is morally just between man and man in each particular case, irrespective of the probable or possible results logically consequent upon a broad application of the principles deducible from the supposed equities of such case, according to the view taken of them by a judge of average capacity.” These remarks apply to the construction to be placed on the words of the Division Court Act, but the writer continues:—

“After all, certainty and uniformity in the administration of the laws are practically matters of primary importance, and cannot be too strongly insisted upon. The too numerous complaints on this head shew that something is wrong somewhere. To obtain certainty and uniformity, an intimate knowledge of and strict adherence to first principles on the part of the judge is indispensable, and this must be combined with the salutary maxims of equity, which are of universal application.”

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It is well to give timely notice that on the first day of September next, the Revised Statutes of Ontario, relating to Short Forms of Conveyances (10 Edw. VII. c. 53), Leases (Ib. c. 54) and Mortgages (Ib. c. 55) will come into force. One result will be that all forms of conveyances, mortgages and leases will have to be altered to suit the new titles relating to the subjects as they will appear in the various statutes affecting them. We remember that Mr. Alexander Leith, in former days the great authority on real property in this province, used to predict serious consequences if the exact names of those statutes were not followed in all conveyances.