

the ground that the order which deals with the decision of a court or judge, and makes that decision final and conclusive, does not apply to the decision of a master. Ord. liv, r. 12, gives the master the authority and jurisdiction of a judge in such cases; but that does make his decision that of a court or a judge, while R. 21 of the same order is explicit, that any person affected by any order or decision of a master may appeal therefrom to a Judge in Chambers." But although the point was not open for decision in that case, both Lindley and Lopes, L.JJ., expressed themselves as concurring in the view that an appeal would lie to a Judge in Chambers from the master in such a case. In the later case of *Clench v. Dooley*, 56 L.T.N.S. 122, a Divisional Court (Huddleston, B., and Manisty and Grantham, JJ.) expressly decided the point in favor of the right of appeal, in accordance with the view expressed by the Court of Appeal in *Bryant v. Reading*. The fact that the master's order does not necessarily stand on the same footing as a judge's as regards the right of appeal may also be seen by the case of *Christie v. Conway*, 9 P.R. 529, where the order of the Master in Chambers as to the costs of an interpleader issue, which were in his discretion, was held to be appealable. The case of *Reg. ex rel. McGuire v. Birkett*, it is true, was affirmed by the Divisional Court, but, so far as the report shows, simply upon the question whether the Provincial Legislature had power to delegate such duties to the Master in Chambers; the finality or non-finality of his order does not appear to have been discussed. We therefore venture to doubt the correctness of the decision of MacMahon, J., that the order of the Master in Chambers in such cases is not subject to appeal.

LAND TRANSFER AND TENURE.

We have more than once advocated the adoption of some system which would render the transfer of land more in accordance with the spirit of this century. If the laws of the land are to be regarded by lawyers as mere machinery whose sole object and purpose is to aggrandize the legal profession at the expense of the rest of the community, it would be an unwise and injudicious thing, from a monetary point of view, to advocate the supplanting of a system which has been so fruitful of lawsuits by any system designed to give greater security to titles.

We do not believe that any lawyer whose opinion is worth considering looks upon the law in that light. The aim of all right-minded members of the profession should be, and we believe it is, to make the laws of our country as perfect as they can be made by human intelligence. The perfection of a law must be taken to depend on its being adequate to guard and preserve the rights of the community and to give certainty and security in the holding of property. A law which serves as a sort of snare to entrap the unwary, and which constantly exposes innocent persons to heavy pecuniary loss, can hardly be said to be perfect.

The manifold imperfections of the system of land transfer which has come from the motherland have been so often pointed out that it is really surprising that a practical, common-sense people like the inhabitants of Ontario should be