

PREFACE

The frequent use made of Holmsted & Langton's edition of the Ontario Judicature Act and also of the English Annual Practice by the Practitioners and the Courts of the Province and the growing numbers of Manitoba and Western decisions of importance, induced the writer to believe that an annotation of the King's Bench Act and Rules carried out in a somewhat similar manner might prove of value to the Profession.

This annotation is possibly rendered more apropos at the present time by the fact that the recent Revision of Statutes (1913) has resulted in the re-arrangement of the Rules, and also by the fact that the new Ontario Rules as framed by the Honourable Mr. Justice Middleton and which came into force on September 1st, 1913, have made many changes in both the form and the meaning of the Ontario Rules. The new edition of the Ontario Rules will require a key to make it valuable for speedy reference in this Province and this annotation will, it is hoped, furnish that key, as in it the corresponding new Ontario Rule, if any, is given with each of the Manitoba Rules, and there is also a double reference table of Rules. The writer has also endeavored to point out briefly the principal difference between the two practices.

As most of the profession have in their libraries the 1905 edition of Holmsted & Langton, and as the majority of the Manitoba Rules are identical with the Ontario Rules in that edition, and as the cases there collected are of course still applicable, the number of each former Ontario Rule is given and each is called, for convenience of reference, the 1905 Ontario Rule, as, although the date is not correct, the former rules are available to most Manitoba Practitioners in the 1905 edition of Holmsted & Langton. All references to that work are to the 1905 edition.

The writer believes that every important Manitoba practice decision has been given, in most cases the proposition