

ther so that every case could have been satisfactorily disposed of. The Court of Chancery—once abused, and with, perhaps, some reason—had become a model for both promptness and efficiency. The machinery of all the Courts was well oiled and ran smoothly. During the existence of this state of facts, the Ontario Judicature Act came into operation. Like thunder in a clear sky, it has startled many and frightened some. Numbers say it was uncalled for, and more that it is in advance of the public demand. Whatever the effect of the Act may be, few will question the pure and honest motives of the author.

The objects of the Act are to render the practice of the law uniform in all the courts; to simplify the written pleadings from which the issues to be tried are evolved; to provide, so far as practicable, for the trial in an action of all questions in difference between the litigants, and to furnish machinery for bringing before the court all third persons who may be affected by the decision to be given, so that they may be bound by the result and complete justice may be done to all concerned. To examine the Act and to ascertain whether these objects—in themselves most excellent—have been attained, would exceed the space at our disposal, and any decision arrived at would be at present of little value. The Act itself is now undergoing trial, and the verdict will soon be known. The form of pleading adopted is a mixture of the systems formerly used in Chancery and Common Law, and has the merit of being concise and simple.

Ample provision is made for the trial of causes by reference, compulsory or voluntary, by permitting the parties to agree, without pleadings, on the points to be decided and otherwise. The Chancery practice of directing officers to make enquiries and report to the Court, so that it may more readily decide the questions at issue, has been followed, and this practice has been found to be very beneficial. What are known as "Time Defences," i.e., defences entered solely for the purpose of gaining time, have received a severe blow—permission being given to the plaintiff, at a very early stage in the action, to apply for liberty to enter final judgment upon an affidavit verifying the cause of action and stating the belief that there is no defence.

As yet, no tariff of costs has been framed, but one is in process of construction under the joint supervision of the judges at the bar. If the new tariff be no higher than the old one, the cost of legal proceedings, it is believed, will be considerably reduced.

—A suit has been entered, we are told, by a Montreal stock broker, to set aside the agreement lately entered into by the Montreal Telegraph Company leasing their lines for a term of years. We do not know what grounds are alleged as a basis for the action, but it would not long puzzle an ingenious lawyer, prompted by a group of vitally interested stock-brokers, whose occupation as buyers and sellers of "Telegraph" threatens now to become *nil*, to frame a plea in opposition to the wishes of a hundred or

a thousand *bona fide* stockholders. But it is a significant thing that prominent business-men of Montreal, whose names had been used as probable plaintiffs in the suit referred to, repudiate, according to the *Mail's* correspondent, any connection with the matter. It seems that no man of position in that city could be found to lend himself to a scheme which had a mere stock-jobbing aim. Whether this device of Francois Xavier street will ever reach the distinction of an application in Court remains to be seen. Our Montreal advisers do not apprehend that any serious obstacle to the amalgamation will arise from this latest threat of disappointed stock-jobbers.

—The Dominion Telegraph Company is a gainer by the recent movements of the Western Union. The Dominion lines were under lease to the American Union, and the Western Union in absorbing the American Union came under an obligation to pay the Dominion Company six per cent. per annum in lieu of the five per cent. which the latter company was getting under the lease. The stockholders of the Dominion Telegraph Company ought to congratulate themselves on this advantage, it explains what would be otherwise puzzling as to the market value of their stock.

—The export of ice is a subject worthy of a paragraph, although we fail to find a record of our exports of it in the last Trade and Navigation returns. The United States have a record of 51,000 to 60,000 tons of ice exported every one of the last ten years. Quite possibly some of it was Canadian, we have sent some thither. In 1878, the States sold abroad 64,370 tons, and in 1879-80 only 57,866 tons, more than half being from Massachusetts and some from Maine. Most of it went to Cuba and the West Indies, some to East Indies, Mexico and Central America. \$3 per ton was the usual value in 1879. The American Consul at Christiania, Norway, calls attention to the exports of ice from that country. Great Britain bought from the Norwegians in 1880, no less than 107,000 tons of ice. France 20,925 tons in 1878, and the total exported that year was 159,000 tons against 60,100 tons in 1870. But the biggest year was 1878, when 218,000 tons were shipped. About fifty per cent. of the quantity goes out in the winter months.

—Intelligence comes from Cincinnati that the American Association for the advancement of Science, in session at that city for some days, has chosen as its president Dr. J. W. Dawson, Principal of McGill College, Montreal. The honor is well conferred. Dr. Dawson is deservedly distinguished as an author and teacher whose researches in science and whose labors in the cause of education have made the name of Canada better known to the scientific world. Dr. Wilson, President of University College, is chosen one of the Vice-Presidents of the assembled savans.

—Italy is the country which above all others, except perhaps California, the progress of wine making has, for some years been greatest. The Minister of Agriculture has decided to open an international exhibition of whatever is used in the cultivation of vines and the making of wine, on the 20th November, at Conegliano, near Venice. There will be exhibited tools and machines used in the culture of the vine; vessels, implements and apparatus for wine; machines for crushing, cleaning, pressing grapes, and airing wort; apparatus for blending wines, washing, bottling, corking, fixing capsules and wiring; instruments for making sparkling wines, vermouth, vinegar, essences, grape syrups still capable of fermentation; besides an enormous mass of other apparatus. Any one interested in wine making on a large scale could obtain valuable information and implements by visiting the exhibition.

—A recent letter from St John, N. B., speaks in confident terms of the condition and prospects of mercantile business in that city. The flour and breadstuffs market is firm with a rising tendency. Bay of Fundy schooners flitting to and fro bring coal, fish and market produce and take back merchandise, while the trade in deals is active, and the export while moderate, is steady. This information is confirmed by what we find in the *St. John Sun* of the 18th instant.

"Wholesale dry goods merchants in this city are well satisfied with the spring trade. They began with very large stocks, bought largely after the trade opened, and are holding over very small quantities. Retailers generally have been and are doing a good cash business, while there is good reason to expect an active Fall trade both wholesale and retail. The last cargo of this season's Barbadoes molasses has arrived and there is a fairly good stock on hand. The arrivals have somewhat depressed the market, but holders are not anxious to sell. Scotch sugars are no longer quoted here. Barbadoes has advanced  $\frac{1}{2}$  cent. Messrs. Hall & Fairweather yesterday filled an Ottawa order for the Halifax Refining Co.'s syrup, sending it right past the Montreal Refinery's doors."

—The Ontario Investment Association of London has made something of a new departure in establishing a branch office in Chatham. This is under the management of Mr. Harry Mercer, son of the sheriff, and a local Board composed of Messrs. C. T. Charteris, county treasurer; J. McKeough, hardware merchant, and R. N. Rogers, local manager of the Federal Bank. We understand that a number of older societies contemplate taking a similar step.

—Referring to an article on rates of interest in last issue, the Secretary of the Union Loan & Savings Co. assures us that the price at which new shares of that company were issued was 125 and not 140.

A deposit of magnetic iron ore has been discovered at St. Agatha des Monts, a new parish some 30 miles north of St. Jerome, Que. The deposit is said to be large and valuable.