

LEGISLATION—DECLARATORY ORDERS.

But in this country there was an undue haste, to alter something in the existing law, which might appear at first to be defective, without waiting to see whether the actual working of the law might not show that this apparent defect was unavoidable, or in what way it could best be remedied; and without a sufficient consideration of other enactments touching the case. This amended act would be then again amended, and then another bit of the original act, and so make confusion worse confounded, and raise a dozen difficult questions for one before; until, at length, it would become absolutely necessary to consolidate all those conflicting provisions, with divers explanatory clauses perhaps added, then there would be another series of explanatory acts, and so on. The danger of this sort of legislation is increased where there is only one legislative body, as in this Province; one great safeguard of hasty legislation having been removed.

There is another matter in connection with this subject, which it is of importance to keep in view, and we have already spoken of it with reference to proposed changes in the law of Division Courts.

In all matters relating to the administration of justice in England the law officers of the Crown assume the responsibility of measures introduced in the House of Commons, and the bill, if not actually prepared by them, has their approval and sanction, and is submitted under their auspices. So it has been with legislation in Canada, and from the course taken last session by the Premier, and the information he has called for with reference at least, to one subject requiring reform, we doubt not the wholesome rule will be followed in the legislature of Ontario.

It is only those who are familiar with the administration of justice that can estimate the evils which spring from crude or party legislation, particularly in reference to the inferior courts—how extremely difficult it is in these courts, and by people that are not lawyers, to become accustomed to any change in the laws, or to adapt their business transactions to it. And we are strongly of opinion that the sooner it is understood that legislation on such subjects is to be under the sanction of the Attorney General the better will it be for that portion of the business community.

There is, of course, a natural desire with members of the legislature to have their names

connected with statutes for the improvement of the law, but a little reflection will shew that it would be unwise and unsafe to relieve the law officers of the Crown of responsibility on this head. It is a wise rule which requires that legislation on any question of procedure in the Courts of civil jurisdiction, should not be undertaken on the individual responsibility of private members—unless indeed they have lost all confidence in the government for the time being, and have become antagonistic to them.

A new edition of "Harrison's Digest" is in course of publication in England, and will, it is said, be issued from the press early in 1869. Having some experience in such matters, we can scarcely hope that the expectations of the compilers will be fulfilled as to time, but however that may be, the Digest will be a great convenience to the profession, as it will bring down the cases to the present year.

When we are in actual possession of this late English Digest and long promised consolidated digest of Upper Canada cases, we may indeed, for a few years at least, hug ourselves with the supposed possession of the busy practising lawyer's *ignis fatuus a multum in parvo*.

DECLARATORY ORDERS OF THE COURT OF CHANCERY.

October 17, 1868.

550. In orders 88 and 120, the word "month" is to be read as lunar month; in order 260, the word "shall" is to be read as permissive; in order 288 the words "with the Registrar" are to be struck out; and in schedules C, D, N and S, the word "Registrar" is to be struck out wherever the same occurs, and the words "Clerk of Records and Writs" inserted in lieu thereof.

551. In accordance with the practice heretofore prevailing in the office of the Registrar, the fee of \$2 payable on setting down a cause with the Clerk of Records and Writs, is to be payable only on the setting down of causes for examination and hearing, on motion for a decree, or, on bill and answer; in all the other cases the fee for setting down causes is to be 50c.

The following fees, which, before the naming of a Clerk of Records and Writs, were payable to the Registrar, are now to be payable in the office of the Clerk of Records and Writs:

Every Certificate of Registration.....	\$0 50
Enrolling Order	0 50
Drawing Order, per folio.....	0 20
Entering same when necessary, per folio..	0 10
Entering Certificate of Title or Conveyance, per folio	0 10

552. A notice of motion under order 467 is to be served upon all proper parties at least fourteen