

EDITORIAL NOTES.

will be found a reference to the general orders affected, and at the foot a note stating whether the Imperial and Ontario Orders concerned are or are not identical. Such English cases as concern parts of the English Acts or orders which we have not adopted will of course not be noticed. The judgments will be in most cases given in full.

The statement of facts and arguments of counsel will be stated as concisely as is consistent with precision and clearness. It is confidently hoped that this new feature of the CANADA LAW JOURNAL will greatly enhance its value to the profession.

It is too soon yet to speak of the working of the Judicature Act. The procedure of our two systems was rapidly tending towards fusion, and the profession were gradually being prepared for some such measure as the present; and it was felt, moreover, that it had to come to that sooner or later, but it cannot be said that there was any call from the country at the present time for the sweeping change that has been made. However, it is, perhaps, as well to have the agony over at once. There has, of course, been a period of dark uncertainty. This, however, could not well have been otherwise, even were the Act more perfect than it is. Those who have to initiate the administration of the law at Osgoode Hall are thoroughly competent for the task, and they will be assisted by an intelligent and industrious profession. There will, at first, be much worry and loss of time, but as practitioners resign themselves to the inevitable and knuckle down to their task, it is to be hoped that they may find the difficulties they dread fading away as they approach them.

SOMETHING will depend upon the rules of Court which, we understand, the Judges are engaged in preparing. It is reassuring

in this connection to remember that the judges most recently appointed, Mr. Justice Osler and the Chancellor, were not long ago two of the best practitioners in their respective departments of law, and they possess in a marked degree the confidence of the Bar in matters connected with the subject in hand. In Mr. Dalton, on whom much also will depend, we have a gentleman of large experience, of liberal views, and who will not be afraid of grappling with difficulties. The consideration required in the preparation of these Rules has prevented the Judges completing the tariff which we understood was to have been promulgated last month. It will, however, be ready shortly. In the meantime the old tariffs will be in force, and will doubtless receive a construction which will make them as far as possible in accord with the changed practice.

THERE has been a great deal said (in fact, a great deal too much) in the leading daily papers as to the working of the new Act, and of the action of the judges in relation to it. On the one hand there was ample ground for Mr. Justice Cameron to object to act without the issue of a new commission. He was not alone in this view, and that there was some force in the contention, is evidenced by the fact that new commissions are being issued. On the other hand, it would seem true wisdom to make the best of an Act which doubtless has its share of faults, but is nevertheless the law of the land. Its faults can best be cured by an intelligent criticism of its provisions as points arise, so that the proper remedy may be applied by those who are responsible therefor.

That there has been want of care in the framing of the Act in some minor particulars is already apparent. Let us instance two cases that have arisen. Section 51 of the Act requires the Court seal to be attached to each filing in the offices of the