

ALTERATIONS AT OSGOODE HALL—APPEALS UPON EVIDENCE.

proper Court house in rear of Osgoode Hall; and whether that idea be carried out or not, it is most probable that at some future day it will be necessary to add more buildings, and these being in rear of the eastern wing, and facing the east, as a corresponding block to that suggested on the west, would, with the other parts, make a grand whole, which would be a worthy temple of justice for this Province, and continue to be, as the centre building of Osgoode Hall has been, a credit to the Dominion at large.

The arrangement which has been adopted leads to several serious inconveniences which now seem difficult of adequate remedy. The Judge's library having been turned into a Court room for the Court of Appeal, and the new library being immediately in rear of it, and the office of the clerk of the Court being in rear of that again, it is manifest that the only access to the clerk's office is by passing first through the Court of Appeal and then through the Judge's library. The Judges of the Queen's Bench must perform part of the same journey to arrive at their new library, whilst their brethren of the Pleas must also go through the Court of Appeal, or make use of a glass passage way or gallery, which runs from their room, outside the windows of the Court of Appeal, and which, by the way, there is no provision for heating in winter time.

The new offices for the Master of the Court of Chancery are on the ground floor, and are fine commodious apartments. They are, however, even more hopelessly inaccessible than that of Mr. Grant. It will be possible occasionally, if the door be not locked, to peep into the Judge's library, and if not met by a judicial frown, to steal with noiseless steps across the learned carpet, and so reach the haven of Mr. Grant's room. But the unfortunate Chancery practitioner who has business *hither* (in the office of Records and Writs,

or the Registrar's or Referee's office) and *thither* (in the Master's office) must don his snow-shoes, ulster and cap, or erect an umbrella, as the case may be, and take a constitutional round half the square before he can reach Mr. Taylor or Mr. Ross, and so back and forth, much to the good of his health, but sadly to the waste of his time. We must not omit to mention that Mr. Grant can be reached in the same circuitous manner with the aid of a back stairs which connects the two flats. The Practice Court room has been made much larger (which by the way was quite unnecessary), and the windows are at the side only and none facing the benches, and in this respect it is improved. The apartment to be occupied by the Court of Appeal is a fine room in itself, but looks insignificant after seeing the handsome and spacious halls devoted to the Common Law Courts.

The retiring room of the Judges of the Queen's Bench has been divided into two small rooms, one for each Puisne Judge, with a passage way taken off which connects these rooms with the Court of Appeal. The Chief takes the room recently occupied by the Appellate Judges.

Such are the alterations and additions which have been made. We trust that a remedy may still be found for some of the defects and deficiencies, though it is impossible to rectify what we hold to be the radical mistake—placing the new building in its present inconvenient position.

APPEALS UPON EVIDENCE.

Now that there are so many Courts of Appeal, it is of no small consequence to have it clearly ascertained in how far our higher Courts will entertain appeals which depend chiefly, or entirely, on the effect to be given to the testimony which has been adduced in the Court below. The last reported judicial utterance upon this question has been that of Mr. Justice Burton in the important case of *Davidson*