

"Other provisions had their origin in a statute passed to remedy some particular matter; the main provision of the statute being accompanied by a number of ancillary provisions, in some cases differing in detail from somewhat similar general provisions of the rules, but now not necessary, by reason of wide general provisions. In this revision I have endeavoured to make the rules a consistent whole, capable of being understood without any reference to the origin of the particular rule or to any former practice.

"I have also endeavoured to reduce the practice to the greatest possible degree of simplicity, and so to classify the rules that what is required to be known may be readily found. To this end, general provisions have been made, applicable to all procedure, and in this way much repetition is made unnecessary, *e.g.*, in the former revisions almost every section conferring power upon the court directed it to be 'exercised upon such terms as to costs and otherwise as may be just;' and almost every time limit is accompanied by the expression 'or such further or other time as the court or judge may allow.' The disappearance of these familiar expressions does not mean change, but merely that general provisions apply and render repetition unnecessary.

"Another familiar expression eliminated is 'the court or a judge.' This expression had its origin in the theory that the expression 'the court' referred to the court sitting en banc during term; and, to enable a function to be exercised otherwise than by the court so sitting, the words 'or a judge' were added. This theory and expression appear to be obsolete. In these rules I have conferred all power upon the court, and have by a general rule defined how the powers of the court are to be exercised, *i.e.*, by a single judge sitting in court, save in certain cases where that power may be exercised by a judge in Chambers, local judge, or the Master in Chambers.

"The former rules contained many detailed provisions concerning the officers of the court and the discharge of their duty. These seem unnecessary; and it was thought better to leave these details to be worked out by Orders in Council dealing with the appointment of officers and their duties, and by directions from