The Legal News.

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The tendency of the time, to convert a private business into a joint stock company, is illustrated by the enormous increase in the number of these companies in England. Last year there were no fewer than 2,788 companies registered. The nominal capital exceeded 241 millions sterling, over fifty-two millions of which were paid up. The total number of registered companies, in April of this year, was 13,323, having a paid-up capital of upwards of 800 millions sterling; and this remarkable total is increasing at the rate of about a thousand companies every year. A large number of these companies are annually wound up, but capital continues to overflow from full pockets into new concerns. It appears, however, from the report of the Inspector-General in Bankruptcy, that the total losses arising from insolvency of all kinds throughout the country are diminishing.

The English County Courts are now going to insist upon their dignity being respected. At the Southampton County Court recently, Judge Leonard protested strongly against the practice of solicitors appearing before him unrobed. The judge said he noticed that there were several solicitors at the table, but not one of them had his gown on. He always directed that the table should be kept clear and everything done for their convenience, and unless they showed some respect to the Court in return he should refuse to hear their cases. He did not think it right for advocates to appear in short jackets and top-coats. The solicitors excused themselves on the ground that no place had been provided for the purposes of a robing-room.

Of Lord Young, of the Second Division of the Court of Session (Scotland), the *Law Journal* tells the following anecdote illustrating his impatience, which constantly prompts to interlocutory remarks:—"A civil case was being tried in the Court of Session. Lord Young was on the bench. Mr. Gloag, now a senator of the College of Justice, appeared for the pursuer, and proceeded to lay the evidence before the Court. The first witness was called, and a few preliminary questions were put and answered without interruption. Suddenly the judge roused himself and took the examination-in-chief into his own hands. Mr. Gloag, who had a lively and proper sense of his own importance, courteously endeavored to assert his rights, but the judicial catechist remained master of the field. When he had extracted by a number of skilful questions everything that the witness had to say, Lord Young looked down to the advocate with a complacent smile. Mr. Gloag had resumed his seat and made no motion to rise. 'Now then, Mr. Gloag,' interjected the judge, sharply, 'let us get on.' 'I am waiting,' was the answer, 'for your lordship to call the next witness.'"

COUR DE MAGISTRAT.

MONTRÉAL, 23 octobre 1889.

Coram CHAMPAGNE, J. C. M.

MALO v. BRIEN *dit* DESROCHERS.

Plaidoirie—Admission—Preuve.

JUGÉ:—*Qu'un plaidoyer de paiement, précédé d'une défense au fond en fait, n'est pas une admission de la dette, et ne permet pas au demandeur de prendre jugement sans prouver sa demande.*

PER CURIAM:—L'action est sur compte.

Le défendeur par un premier plaidoyer nie les allégations de la demande, et par un second plaidoyer, il dit qu'il a payé au demandeur tout ce qu'il pouvait établir lui être dû. Le demandeur prenant le second plaidoyer comme une admission de son compte, déclara qu'il n'avait pas de preuve à faire. Le défendeur, de son côté, fit la même déclaration. Le compte est-il établi par admission de la part du défendeur? Le second plaidoyer ayant été fait sous le bénéfice du premier, le demandeur ne se trouve pas par là dispensé d'établir sa créance; et en l'absence de preuve, l'action doit être renvoyée sauf recours.

Action renvoyée sauf recours.