

reading of the cases, unaccompanied by the text-writing, has only weakened my power to deal with the questions involved.

Further of need of Jurist writings.

Passing over the student period, about which I have promised to express no opinion, the practitioner, before he is competent to lead a client as to a particular question, must in some way have reached the point in relation to it where I stand when the book has been written. By nothing short of this can he exercise the functions of a lawyer, though a great way short of it he may be a very conceited quack.

But, though one cannot duly practice the law until, as to each particular question upon which he advises a client or carries his cause into Court, either he does this work or it is done for him, the labor of doing it all in person would be too great to permit the necessary progress in his professional business. Since, therefore, he must have help, poor help is for him, however it may be for the student, better than none. But surely I need not say a word further to make secure the proposition that jurist books, if we could but have them, would render all the paths of our professional labor inexpressibly more glorious, more inviting, and leading to higher and better results than now.

How obtain Jurists—Objecting to them.

In the economy of our earthly existence supply is always commensurate with demand. Therefore, you have jurists whenever you are ready to receive them. But receiving them, or demanding them, does not mean simply that you will not bring them to the public whipping-post, or shut them up in the penitentiary. You must give them in exchange for their labors something to eat and wear, and you must protect their work from the thieves. Especially you must enact, and, more than all, you must sustain by public sentiment, laws as efficacious for the preservation of the fruits of their intellectual toil as are those which protect the makers of jack-knives from shop-breakers.

The evils attending our law and its practice are, I believe, generally anti perhaps uni-

versally admitted to be the same which I have thus pointed out. Nor, probably, would the remedy upon which I insist—namely, the introduction into our law of jurist works—he much objected to by the majority. Those who did not exactly cherish them could derive a sort of melancholy satisfaction in seeing that they were veritable bonanzas for the thieves. The objection would be to that without which these works can never come, namely, the suppression of piracy. And thus you see why I have said so much about piracy. While it continues to exist as it is now, our common law will remain dwarfed and undeveloped; and the danger of its death, of the death of the State, of our cherished liberties, and of whatever else has made us a glorious people, will impend over us.

(To be continued).

*RECENT ONTARIO DECISIONS.**

Company—Winding up—Contributory—Variations from prospectus in respect to amount of capital.

D. subscribed for 50 shares in a company to be formed, of which the capital was, according to the prospectus, to be \$75,000 in 750 shares of \$100. Subsequently the promoters obtained letters patent under the R.S.O. c. 150, by which the capital was fixed at double the amount, viz., \$150,000, in 1,500 shares of \$100. This change was not communicated to D., nor was there any allotment of stock to him; there was no entry of his name in any stock-book, no acting on his part as shareholder; the company was in process of winding-up.

HELD, that D. was not liable as a contributory in respect to any shares.

The amount of a company's capital is one of those things which when fixed cannot be varied without the consent of all who join the company. Here there was an important and material variance between the prospectus and the charter, to which D. did not assent, and of which he was not informed till after the winding-up had begun.—*In re London Steel Works Co., Delano's Case, Chancery Division, Boyd, C., 15th Dec., 1887.*

* Can. L. Times.