

SUGGESTED AMENDMENTS OF THE LAW—LAW SCHOOL.

priority over any prior unregistered conveyance or mortgage of the same lands. At present this is not the case, as the writ binds only the interest which the debtor has in the lands at the time it is placed in the Sheriff's hands.

3. An execution against goods should only bind the same, as against purchasers or mortgagees for value, without notice, from actual seizure, and not from the time of the receipt by the Sheriff. This is the law in England now, and would conform to the spirit of the law of personal property in other respects.

4. An order for the examination of a party, opposite in interest, in a common law suit, ought to be attainable on precept, as in Chancery. This would not increase the number of examinations held at present, and would save much expense and loss of time occasioned by sending to Toronto for the order, which is one almost "of course."

5. Some provision should be made for the examination of the officers of a corporation after a judgment against it. The Common Law Procedure Act, section 287, and the Arrest and Imprisonment for Debt Act, section 41, do not apply to corporations, so that as in the case of a Railway Company no provision exists for ascertaining who are the shareholders of the Company, or which of them have not paid their stock in full, and such a Company can defy the judgment creditor, and the Sheriff too, to reach it by an execution.

6. When a plaintiff obtains judgment by default in a Superior Court upon a writ specially endorsed, for a sum over \$200 but less than \$400, the Deputy-Clerk should have power to tax Superior Court costs upon a proper affidavit being produced and filed with him, showing that the amount claimed was not liquidated or ascertained by the signature of the defendant or by the acts of the parties. At present the plaintiff has to delay the signing of a judgment from two to four days to await the return of such an order from Toronto, being exposed to the risk of an appearance being entered for the defendant in the meantime.

7. Service of issue books should be dispensed with in the County Courts as well as in the Superior Courts; and the

late rules of the latter Courts respecting remanets, and notices of trial of cases left over should be extended to the County Courts.

8. It should be expressly enacted that a release of a married woman's inchoate right to dower should not be regarded as a good consideration for a conveyance to her of real or personal property bought with the money of a debtor, as against the creditors of the latter. At present, a man may sell farm "A" for \$5,000 cash, and purchase farm "B" in the name of his wife and as a settlement upon her, and so defeat his creditors, provided he and his wife swear that the latter only released her dower in "A" on consideration of farm "B" being conveyed to her.

9. It would be better to adopt the law of dower as it is in England, and enact that a conveyance of real estate in the husband's life-time should *ipso facto* defeat the dower. There are very few cases in which dower is not released by the wife as a mere matter of form or under the authority of the husband, and without compensation, while, for the sake of the chance of dower possessed at present by separated and unreconciled wives, it is not worth while to continue a state of the law so anomalous and productive of so much trouble and litigation. These unfortunates can protect themselves better by alimony proceedings if they are unjustly treated.

10. Another anomaly should be removed from our law. *A. fi. fa.* lands is held to bind a contingent interest in any land, but not a married woman's right to dower after the right has become an actual one by the death of her husband. See *Allen v. Edinburgh Life Association Co.* 19 Gr. 248.

LAW SCHOOL EXAMINATION.

THE following are the names of the gentlemen who were successful in passing the examinations held at the close of the last session of the Law School:

SENIOR CLASS—T. Ridout, T. E. Lawson, W. W. Ross, D. H. Fletcher, W. Bearst, J. B. Clark, J. Fullerton, J. S. Whiteside, E. Meyers, J. A. Morlon, E. B. Stone, H. D. Gamble, D. B. Simpson, W. B. Doherty.