The Legal News.

Vol. IX. JULY 10, 1886. No. 28.

The decision in *Dupuis* v. *Rieutord*, M. L. R., 1 S. C. 356, holding notaries responsible for errors of law made in the deeds received by them, and which has since been unanimously affirmed in Review, is supported by the recent decision in France noted in our last issue (p. 213.) In fact, the Cour de Cassation has gone further, and holds the notary responsible not merely for an error committed against a positive law, but for not being aware of a modern jurisprudence which had changed the old doctrine. Notaries are therefore required not only to know the law as it was interpreted at the date of their admission to the profession, and the statutory amendments, but to keep themselves informed of contemporary judgments and of such alterations as may be effected by a current of decisions.

The *Law Journal* (London), referring to the suggestion that the young Prince Edward of Wales might be created Duke of Australia and Earl of Ontario, in celebration of the colonial reunion and of Her Majesty's jubilee, finds that such a title is not altogether unsupported by precedent. "Originally it would seem to have been proper that the place from which a title is taken should be within 'the realm;' but there are many instances to show that it need only be within the allegiance of the king in right of one of his crowns. Thus the earldom of Tankerville (in Normandy), the marquisate of Dublin, and the earldom of Kilkenny (in Ireland), were in the peerage of England; while the Earl of Llandaff, the Earl of Ely, and Viscount Hawarden were peers in the 'kingdom of Ireland;' and (what is more to the present purpose) there was formerly a Viscount of Canada in the Scottish peerage. It is well known that the Marquis Wellesley aspired to be Duke of Hindostan. Lord Coke (in *Calvin's Case*) expressly says that the Channel Islands are 'no part of the realm of England;' but yet, as they are within the 'dominions' of the Crown, we have an Earl of Jersey and a Lord Guernsey in the peerage of England."

LITIGATION IN ENGLAND.

The London *Times* gives the following statistics of litigation for 1870 and 1884:—

The total number of writs of summons issued in 1870 in the Queen's Bench, Common Pleas, and Exchequer was 72,660; in the year ending October 31, 1884, the corresponding number was 48,747. Including the writs issued in the district registries, the total number was 75,857. That the actual increase should be only about 4 per cent. is a significant fact. Judgments have increased about 21 per cent. But there is no such increase in writs of execution of all kinds, which were 17,725 in 1870 and 20,117 in 1884. It is significant that only 45 special cases were heard in 1884, against 73 in 1870. In the circuit work there has been much fluctuation. On the whole South-Eastern Circuit were entered in 1884 only 110 cases, as against 313 entered on the old Home Circuit. While on the old Northern Circuit only 33 causes were entered in 1870, the numbers for the present Northern and North-Eastern Circuits were 354 and 217 respectively. The annual amount recovered by the agency of the Courts for 1870 was 369,503*l.*; in 1884 it was 227,660*l.* The amounts recovered on circuit in these years were 188,509*l.* and 95,822*l.* respectively. The summonses at chambers, which were 52,764 in 1870, were only 39,800 in 1884. Of Chancery business, while the fees paid in the taxing-master's office and the costs taxed were respectively 31,519*l.* and 1,004,660*l.* in 1870, they were in 1883—434,799*l.* and 1,247,016*l.* While the total amounts of cash paid into and out of Court respectively in 1870 were 9,775,517*l.* and 10,296,363*l.*, the figures for 1884 were 12,373,149*l.* and 12,495,421*l.* The purely contentious business, and, in particular, that part of it which devolves on the Queen's Bench Division, seems on the decline, or, at least, has not expanded in proportion to the growth of wealth and population. The returns as to the Admiralty Court are also