

the simple fact that the judges in the olden time sat upon a rude seat of boards, called a bench, and the lawyers were separated from them by a fence, called a bar.

This separation, however, was not merely a matter of convenience or form, but had an enlarged significance as civilization advanced.

On one side, in the chair of justice, sat her representative, above the petty interests and selfishness of suitors, unapproachable by friend or foe, and blind to all considerations save those of honor, truth and justice, and on the other side, the lawyers carrying on their warfare on an open field, equally separated from the judge, and none able to pour into his ear the poison of private interest or flattery undetected and unopposed.

As to the Bench, as a piece of furniture, its occupants and their official dress in the court room—in the *Albany* (New York) *Law Journal*, Vol. 28, page 422, Dec. 1, 1883, "Current Topics," it is stated, among other matters, that no other court in this country, probably no other in the world, are so sumptuously housed as their Court of Appeals will be when they occupy their premises in the new capitol on the first of January. The court room is completely lined with oak, with a heavy timber ceiling, and a grand fireplace backed by the most exquisite Mexican onyx. The judge's desk is a beautiful example of carving. The adjoining rooms, for libraries, consultation and toilette purposes, and those allotted to the Bar, are all that could be desired. The hope is expressed by the above journal that the judges will adopt gowns, and that there will be judicial uniformity in dress as well as in decisions. That the judges of the highest court in this country wear gowns and no one scoffs at them. That the gown is a much more dignified garment than the average coat, be it "claw-hammer," "frock," "Prince Albert," "cutaway" or what not. In warm weather, too, it admits an *ex parte* style of dress (so to speak) which underneath is not without its advantages. We are in no danger in this country of degenerating into formalism, but rather of losing respect for courts and pulpits through familiarity and a lack of elevation.—*Pitts. Legal Journal*.

COSTS IN SMALL CASES.

In the city of London Court, July 27, during the hearing of the case of *Moore v. Adams*, the question was raised whether the judge under the new rules had power to allow a barrister's professional fee in a case where the amount sued for was under £5.—Mr. Guiry, who was counsel for the defendant, for whom judgment was given, applied that the costs of barrister, solicitor, and two witnesses should be allowed, on the ground that the question involved was one of legal technicality, and professional assistance was absolutely necessary. Plaintiff's solicitor: I do not see the necessity for having employed counsel.—His Honour; Oh, you will find 500 barristers who will say there is a legal difficulty in a case if there is a guinea to be got out of it. (Laughter). Perhaps they might say as the French thief said to the French judge, 'Il faut vivre'—'It is necessary to live.' I suppose lawyers must also live. (Laughter).—Plaintiff's solicitor: It is difficult enough in these times.—Mr. Guiry: Your honour has power under the old Act in a case such as this to allow for a barrister's attendance.—His Honour: Yes, but only if there is anything novel in the case or a difficult point of law is involved. There is a point of law in this case, but to me it was not difficult. I am willing to make every allowance for the bar, but there must be a limit even to that. It would be better for the country if the Scotch system were adopted and no professional costs allowed in a case under £20. In this instance I can only allow costs of solicitor and witnesses.—*Law Journal* (London.)

INSOLVENT NOTICES, ETC.

Quebec Official Gazette, Aug. 14.

Judicial Abandonments.

Charles Gingras, and Hubert Morel, manufacturers and contractors, Montreal, July 28.

Curators Appointed.

Re J. B. Gascon, St. Jérôme.—David Seath and George Daveluy, Montreal, curator, Aug. 14.

Re Magfoire Gascon, St. Jérôme.—John Ogilvie and W. R. Adams, Montreal, curator, Aug. 14.

Re Charles Gingras and Hubert Morel, manufacturers, Montreal.—J. E. Viger, wood merchant, Montreal, curator, Aug. 7.

Re Joseph Reid et al.—James Crothers, Bedford, curator, Nov. 25, 1885.

Dividend.

Re Charles David, Montreal, shoemaker.—Dividend sheet at office of Seath and Daveluy, Montreal, curator, Aug. 14.