

resolutions endorsing it. A paper was read by J. T. Bulmer setting forth the advantages of the proposed society, and pointing out the work done by the American Bar Association and the incorporated law society of England. The Society discussed the matter at great length, and finally adopted a resolution unanimously approving of the proposal. A committee was appointed having full power to make all preliminary arrangements, composed of C. S. Harrington, Q.C., R. E. Harris, Q.C., F. T. Congdon, W. B. Ross, Q.C., D. McNeil, Hector McInnes, Wallace McDonald, J. T. Bulmer, B. Russell, Q.C., R. L. Borden, Q.C. The committee will meet at once, and it is hoped that Sir Charles Russell, the Chief Justice of England, now in this country, will be able to attend in Montreal or Ottawa the first meeting of the Society. The meeting for organization is expected to be held the first or second week in September."

FLOTSAM AND JETSAM

CIVIL LAW ADVANTAGES.—Both the civil law and the common law have their weak points and their strong ones. In Mexico, as in all countries where the civil law prevails, the courts decide cases by finding the facts and stating the legal result arising therefrom, without giving reasons. In short there are no precedents. The Hon. Walter Clark in a resumé of the Mexican judicial system in *The Green Bag* (Boston), says: "Whatever may be said in favor of our system, the civil law system has three distinctive advantages, and there may be others. 1. If an error is made in a case, it cannot be quoted as an authority for the repetition and reproduction of the same error by that Court or any other. 2. There are no groaning shelves filled with lengthening lines of reports, wasting alike the time and the pocket-books of the legal profession. 3. Instead of wasting researches to ascertain the number of times judges (whose capacity, impartiality and training are usually unknown and necessarily incapable of being weighed) have expressed views on one side or the other, the legal mind is permitted to expand by arguing each case as it arises, upon the merits and 'the reason of the thing'—not upon its fancied resemblance, more or less accurate, to other cases which may have been rightly or wrongly decided. This exacts a greater exercise of the reasoning faculties, and saves the time and expense of our system, which requires an exhaustive search for 'precedents,' to ascertain what other men, under circumstances more or less similar, have said was the law."

Notwithstanding a statutory provision that a divorce shall not be granted unless the party exhibiting the petition or bill therefor has resided one year in the State, it is held in *Clutton v. Clutton* (Mich.) 31 L.R.A. 160, that divorce may be granted on a cross bill in favor of a non-resident defendant who is brought into the State to defend a suit by a resident of the State, although the marriage and cause of divorce took place out of the State.