

In our view of the case, *Pratt v. Bunnell* is not in conflict with the previous decisions (except that of *Calvert v. Black*, 8 P.R. 255), but merely establishes an exception to the general rule, which existed before the Act of 1879, and which was not, as we venture to think, intended to be in any way interfered with by that Act.

LEGAL STATISTICS FOR 1890.

The Report of the Inspector of Legal Offices for the year 1890 shows that there was a sensible diminution in the volume of litigation compared with the previous year so far as the number of suits is concerned. In 1889 the total number of writs issued was 7067, while in 1890 the figure reached is only 6940. But while the number of writs is considerably smaller, the amount sued for seems to have been very considerably larger: thus in 1889 the writs were indorsed for \$7,550,422.07, and in 1890 for \$9,288,656.44.

The number of judgments entered without trial in the outer counties in 1889 was 1822, and the amount recovered thereby \$1,942,567.39; while in 1890 the number of judgments fell to 1240, and the amount of them to \$1,235,603.06. In 1890 the number of judgments entered in the High Court in the outer counties, after trial, was 406, as against 623 in 1889, and the amount of such judgments in 1889 was \$498,816.95, against \$141,827.82 in 1890. These figures, it will be observed, do not include the city of Toronto; it is therefore impossible to institute a comparison between the total number of suits commenced and the number of judgments recovered. So far as the outer counties are concerned, of the sum of \$9,288,656.44 for which writs were issued only \$1,377,430.88 was recovered by judgments entered in the outer counties. Is it to be supposed that judgments in respect of the other eight millions of dollars of claims were recovered in Toronto? Unfortunately the Inspector's duties do not extend to the Toronto offices, and his report, therefore, furnishes very few *data* for a comparison between the legal business transacted in the outer counties and in Toronto respectively.

It is a very curious fact that notwithstanding the enormous sums for which actions are commenced in the course of a year, a comparatively very small portion of it is recovered under execution or by sales under other legal process. Thus although executions were issued against goods in the High Court of Justice during 1890 for \$3,135,751.93, only the sum of \$40,377.70 was actually realized by the sheriffs by sales, and the sum of \$54,329.09 without sales, making the total realized under executions only \$94,706.79, or not quite $\frac{1}{31}$ part of the amount required to be levied. It is to be hoped that this does not represent the actual fruit of the litigation. The amounts realized by sales in the Masters' offices do not account by any means for the difference between the amount sued for and the amount recovered. In 1889 \$390,974 was realized in this way, and in 1890 \$416,914.84.

The profession will be interested to learn that the proportion between the taxed fees and disbursements is about equal, and for every dollar of profit costs