

It cannot be said that the Law Society of Upper Canada has ever taken too much interest in the welfare of the profession, and this has largely given rise to the formation of the Ontario Bar Association. But neither of these bodies have taken this matter up. If they represent the profession they certainly should do so. We recommend it to their consideration.

RIGHTS OF PREFERENCE AND ORDINARY SHAREHOLDERS.

A case has recently been decided in England by the House of Lords, which will shew to ordinary shareholders, or in other words, shareholders who hold common stock as distinguished from preference stock, how near they have been to the edge of a precipice. The common sense view of the situation taken by the House of Lords has saved them from falling over, a result which would have been disastrous to some of these common stock holders, and would have seriously complicated innumerable stock transactions.

There are, of course, various kinds of preference stock and of common stock, and their relation one to the other varies in different companies; but we doubt if, in the majority of cases, there has been any care taken to guard against the possibility of preference shareholders claiming some benefit from dividends beyond the rate specified in the letters patent, articles of association or by-laws, as the case may be.

The contention of the preference shareholders in the case referred to by our English contemporary, the *Law Times*, appears in the article from that journal which we now give to our readers, some of whom may be interested for clients who hold one or other of these different kinds of shares. A decision of the House of Lords does not, of course, bind us in this country, but in all probability their views would be accepted by the courts here. The article is as follows:—

“Mr. Justice Sargant's decision in the recent case of *Re*