

The Legal News.

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NON-RESIDENT PLAINTIFFS.

Article 120 of the Code of Procedure requires that a power of attorney from the plaintiff shall be produced if he does not reside in the Province. In the case of *McLaren v. Hall*, noted in the present issue, the question was raised whether such authorization was necessary where the action was accompanied by a *capias*, and the issue of the writ was obtained on the plaintiff's affidavit. Mr. Justice Rainville decided that under these circumstances there was no occasion for a power of attorney from the plaintiff to show the authority for the proceedings.

A BISHOP IN COURT.

The Bishop of Oxford, having had occasion in a recent case to appear in person before the English Queen's Bench Division, feels aggrieved at the interruptions to which pleaders are subject by the members of the Court. In a letter addressed to the Archdeacon of Berkshire, his lordship says:—

"I shall not trouble you with a record of my personal experience as a suitor in a court of law. If it were my business to write, after the style of our forefathers, an account of a stranger's visit to the temple of justice, I should have to say that I observed the manners and customs not without surprise. It might have been expected that its venerable guardians would listen unmoved to the suitors' addresses; and that it would be impossible to penetrate within the veil of dignified reserve which concealed the bias of their minds. On the contrary, vivacity and candour were the characteristics which I chiefly admired in the sages of the law. I noticed their benevolent desire to instruct the advocates, and to convince them of their errors—a benevolence which led them even to sacrifice the opportunity of informing themselves more fully about a branch of jurisprudence naturally unfamiliar to them. They gave no countenance to the idle hopes of success which advocates on the opposite side might have entertained; nor did they

encourage the vanity which makes a fond speaker anxious to present his argument in a connected form. In all seriousness I must record my impression—an impression not peculiar to myself—that it was almost impossible to present a connected argument under the constant shower of interruptions from the bench to which each speaker, on one side at least, was subject."

The habit of interruption on the part of the bench is not to be commended, but it must be observed that the practice of preaching sermons accustoms the clergy, perhaps a little too much, to having their say unchecked and uninterrupted. The style of address encouraged by pulpit exercise has always been apparent when clergymen have assembled for the first time in synodical session, and some traces of the same thing are usually more or less obvious in ecclesiastical conferences. It is difficult to define the limit within which the Court may interfere with the argument of counsel, but excess of interruption is probably the more common failing. Some great judges have been notorious offenders in this respect, while very few have been reproached, like Lord Eldon, for encouraging prolixity by the patience with which they listened to both sides.

BANKRUPTCY IN SIAM.

The following extract, from "Neale's residence in Siam," has been sent to us by a correspondent *apropos* of the recent discussions concerning insolvency legislation, and is recommended by him to the consideration of all interested in settling as good a bankruptcy law as possible:—

"Most of the commercial transactions of the Merchants residing at Bangkok amongst themselves and with known and respected residents, are upon the system of *Tic*, or credit, for longer or shorter periods.

"Wholesale purchasers are allowed to have a year's time to liquidate the amount, paying the sum in quarterly instalments, and the shortest credit given is forty days.

"This system of traffic is very detrimental to European Merchants, who experience the greatest difficulty in recovering debts due to them when the period of payment arrives; and fraudulent bankruptcies are by no means of unfrequent occurrence.