

# The Legal News.

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Simplification of procedure, increase of the number of judges of first instance, coercion of judges to render judgment promptly,—these are questions which have been debated at more than half a dozen bar meetings within as many years. The whole ground has now been gone over in a report submitted to the American Bar Association by Messrs. David Dudley Field and J. F. Dillon. We noticed, on p. 217, the fact that an inquiry was being made into the causes of the delay in the administration of justice. The high standing and long experience of the gentlemen entrusted with the task, as well as the universal interest of the subject, makes their report instructive reading. The *Albany Law Journal* says it gave rise to the greatest and most striking legal discussion of the last thirty years. The upshot was that all the conclusions of the report were adopted by the Bar Association at the August meeting, except that in favor of codification. On this question the Association voted an adjournment for a year. The report, as will be seen, is graphic and interesting, but the recommendations do not contain much that is novel. Forms of procedure are to be dispensed with as far as possible. The number of judges of first instance is to be increased so as to do away with all arrears, and the judges are to be obliged to give their decisions within a limited period after argument. The block of cases in appellate courts is to be prevented by restricting the number of appeals as soon as a block occurs, and until it is removed. This is a rough, but not very equitable method of getting over the difficulty. Why should A be wholly debarred from his appeal in order that B, with a precisely similar case, may be more speedily heard? The remarks in the report upon the improvident issue of injunctions are worthy of special attention. The loose and irregular way in which injunctions are granted now-a-days is a growing evil which should be checked.

The affirmation question came up in the Lord Mayor's Court, London, on the 26th instant. Mr. Charles A. Watts, a printer, of Johnson's Court, Fleet Street, having been called as a juryman before Sir Wm. Charley, Q.C. (the Common Sergeant), objected to be sworn in the usual way, whereupon Mr. Fitch, the Sergeant-at-Mace, handed to him the affirmation card prescribed by Act of Parliament in these terms: "I, ——, do solemnly, sincerely, and truly affirm, and declare that the taking of an oath is, according to my religious belief, unlawful; and I do also solemnly, sincerely, and truly affirm and declare that I will well and truly try the issue joined between the parties, and a true verdict give according to the evidence." Mr. Watts, having perused the card, said he was not going to repeat the words upon it. Mr. Fitch: "Why do you object? It is the prescribed affirmation." Mr. Watts: "I object to the words 'according to my religious belief.'" The Common Sergeant: "Then what do you propose as your affirmation?" Mr. Watts: "I will say, 'I, Charles Watts, do solemnly, sincerely, and truly affirm and declare that I will well and truly try the issue joined between the parties, and a true verdict give according to the evidence.'" The Common Sergeant: "Well, I think you may do that." The case, in which the rest of the jury were sworn in the usual way, then proceeded, Mr. Watts, by virtue of having been called first, acting as foreman.

In a case of *Nash v. El Dorado County*, before the United States Circuit Court for the district of California (July 6, 1885), two points of some interest were decided with reference to coupons of bonds. First, it was held that coupons bear interest from the date of their maturity, at the legal rate. Chief Justice Sawyer remarked: "It has been repeatedly so held by the Supreme Court of the United States." Secondly, it was held that the Statute of Limitations runs upon coupons from the date of their maturity. "Each instalment," remarked the Chief Justice, "matures at a particular time, and at that time the payee is entitled to his money; the right of action accrues, and an action may be commenced at any time within the time pre-