unsatisfactory nature of some of the judgments of this tribunal, in passing over important issues on which both parties desired an opinion, the generally accepted explanation being that it was impossible to reconcile the views of the Committee on such points.

Then, again, the practice of the Supreme Court of the United States is referred to, where the names of the dissentients are mentioned and no more. If the fact of a dissent is expressed at all, we think it follows that the grounds should be briefly stated, for the dissent might apply to only a small part of the case, and the announcement of a dissent generally would mislead. The point to which the dissent refers should at least be given, and we have already intimated our opinion (*ante*, p. 2) that very little more is desirable in any Court whatever.

It is said, "if reporters do their duty, "and give a proper synopsis of the argu- "ments of the opposing counsel, it is un- "necessary to set forth the grounds of dis- "sent on the part of any of the judges." This argument will not bear scrutiny. The dissent may be based on any one of half a dozen points raised at the bar,—indeed we have sometimes heard it confined to a point entirely novel. Why should the reader of the report be left to so doubtful a source of information? Would not the argument of counsel on the other side be equally explicit as to the views of the majority?

The main objections to the suppression of the dissent seem to us to be these: Such an ostrich-like proceeding would be a deception in itself, it would be an injustice to the Judges who are unable to concur in the decision of the majority, and it would tend to retard and affect injuriously the growth of the science of jurisprudence, and its progress towards perfection. The reasons which appear to us to sustain this view may be more conveniently stated in our next issue.

The advocates of woman's rights are not idle. A bill has been introduced in the U. S. House of Representatives, providing that women should be admitted to practise in all the Federal Courts; and by a bill before the N. Y. Assembly, it is proposed to enable married women to contract in the same manner as if single.

REPORTS AND NOTES OF CASES.

SUPERIOR COURT.

Montreal, December 29, 1877.

JOHNSON, J.

THE WINDSOR HOTEL CO. v. MURPHY.

Corporation—Alleged Forfeiture of Charter.

JOHNSON, J. The plaintiff is a corporation by statute of the Province of Quebec, and sues the defendant to recover $400, being the sixth, seventh, eighth and ninth calls upon the stock he had taken in the concern, on which the first five calls have already been paid. The defendant pleaded first by exception to the form, that he was not a shareholder in the corporation as described; that he had taken stock in a company with the same name which, however, had forfeited its charter and had ceased to exist, the preliminary conditions of the act of incorporation not having been duly observed or complied with. The specific grounds upon which this pretension is set up by the defendant are that the company has not opened and kept the necessary books containing the names and addresses of the directors, and the dates at which they became, or ceased to be, so; that some of the directors have not paid their calls; and that the $400,000 mentioned in the 5th section of the act of incorporation, and the $40,000 of it that ought to have been actually deposited in some chartered bank had neither been subscribed, nor deposited. The defendant also set up that before the necessary number and amount of shares had been subscribed, and the required amount paid in, directors were elected in violation of the act; and that the meeting of shareholders for the election of directors, being called by the provisional direction, was illegal, and the subsequent acts of the directors were void. There was an amendment made to the declaration after the production of this *exception à la forme*, and it was made for the purpose of setting up the right of the plaintiff to recover under the provisions of the "Joint Stock Companies' General Clauses Act." The plaintiff contended at the hearing that the exception as to form having been taken before the amendment, did not apply to the declaration as now amended; but that, I think, is a mistake, as the exception attacks what still remains independently of the amendment; but really it is