BENCH AND BAR.

A "Practising Barrister" writes to the *London Law Journal*, complaining bitterly of interruptions of counsel. He says:—

"When I was called to the bar, over twenty years ago, it was the custom for the bar to talk and the bench to listen. We have changed all that, and it is now the custom for the bench to talk and for the bar to listen.

"In these days counsel are not even usually allowed, when they are arguing *in banco*, to state their case, but it is extracted from them by cross-examination, with the result that what would be a clear, consistent statement is rendered too often confused, while important matters are kept in the background, and those which are quite unimportant are dragged prominently forward.

"Can anything be more deplorable than the scene which constantly takes place in Appeal Court I, where it frequently happens that counsel, having carefully got up their arguments, are not allowed to deliver them?

"To use sporting language, it is an even chance that at any moment one judge will be talking, it is a six to one chance that two will be talking, while it would be practically safe to bet fifty to one that all three judges are talking together.

"I only mention this Court as affording the most flagrant instance; but this degradation of manners has unhappily spread to nearly all the Courts that sit *in banco*.

"Such scenes as take place now would have been impossible twenty or thirty years ago, when four judges usually sat together, in grave, dignified, courteous silence, carefully considering the arguments addressed to them, and no more capable of rudely or unnecessarily interrupting counsel than they would be capable of such conduct towards any other gentleman who was speaking to them.

"I am not one of those who think that the judges of to-day are inferior to the judges of old times; and I look upon the incessant talking which takes place on the bench as a bad habit which has spread from one judge to another.

"I am, however, convinced that the fact that an enormous number of cases are overruled is due to the habit which judges have got into of forming a hasty conclusion, sometimes without having given counsel a chance of properly stating the case; that instead of listening to counsel they spend their time in talking and arguing themselves, and that they frequently snub and brow-beat counsel, who are as able as themselves, and frequently decide cases without giving counsel an opportunity of addressing a real argument to them. I write this letter not with the mere intention of finding fault, but in the hope that the bench will learn from your columns what is the feeling of the bar on the subject, and that they will take to heart the lesson that it would be a great saving of time, and conducive to decency, propriety, and justice, if the bench would learn to listen and would cease talking."

COUR DE CIRCUIT.

MONTRÉAL, 6 avril 1891.

Coram PAGNUELO, J.

LEFEBVRE v. PAQUIN et PAQUIN, opposant.

Opposition—Arts. 588*a*, 664, *C. P. C.*

JUGÉ:—*Que les articles* 588 *a et* 664 *du Code de Procédure Civile ne s'appliquent pas à un tiers qui fai opposition à la vente de ses biens meubles, mais seulement aux parties qui sont déjà dans la cause.*

(P. D.)

PROBATE, DIVORCE AND ADMIRALTY DIVISION.

LONDON, June 21.

LAWRENCE v. LAWRENCE (OTHERWISE AMBERY.)

Contempt of Court—Report of Case heard 'in Camerâ.'

In this case there were two motions by the respondent to attach the responsible editors of two country newspapers for reporting the result of a suit for nullity heard *in camerâ*.

JEUNE, J., refused both applications. Although cases of this kind, if mentioned in print, should be referred to in the barest possible way the publication of the result might be desirable. These two paragraphs were merely the result slightly expanded. Whether in good or bad taste was not the