

no weight in the King's Courts, except what they derived from the truth and notoriety of the subjects upon which they wrote; yet it cannot be doubted that they contributed greatly to those redactions of the customs which were afterwards made under the sanction of the Sovereign. In 1302, Phillip IV. directed the most intelligent inhabitants of each bailiwick to be assembled for the purpose of informing his Courts of the customs which had been observed in their respective jurisdictions, and required his Judges to register and observe those which should be worthy of approbation, and to reject all which should be found unreasonable, and this command was carried into execution in several parts of the kingdom (1).

[To be continued.]

#### RECENT DECISIONS AT QUEBEC.

*Security for Costs—Opposant.*—Jugé :—1. Que l'opposant résidant hors de la province, qui demande la distraction de la chose saisie, doit le cautionnement *judicatum solvi*; 2. Que ceux résidant hors de la province de plusieurs opposants à la saisie d'une chose leur appartenant en commun sont seuls tenus de fournir ce cautionnement; 3. Qu'un délai de huit jours pour fournir le cautionnement est insuffisant pour l'opposant qui n'a qu'un court espace de temps pour produire son opposition; 4. Que le défaut de donner caution, par ceux des opposants qui y ont été condamnés, ne permet pas le renvoi de l'opposition quant aux autres.—*Miller et al v. Déchène*, (C. R.) 8 Q. L. R. 18.

*Bail.*—The Court will refuse to bail a person charged with a serious crime, such as stealing a money letter from the Post Office, when the evidence in support of the charge is positive and direct.—*Ex parte Huot*, 8 Q. L. R. 28.

*Intervention—Contestation.*—Nonobstant l'article 159 du C.P.C., une partie peut contester une intervention après les huit jours qui suivent sa signification, s'il ne lui a pas été fait de demande de plaider, et si aucun acte de forclusion n'a été accordé par le protonotaire.—*Derome dit Descarreau v. Robitaille et al.*, (Q.B.) 8 Q.L.R. 60.

*Telegraph Company—Condition.*—The condition on the form of a telegraph company, declaring that the company is not liable for mistakes

in the transmission, and even for non-delivery of a message, if not repeated, is a reasonable one, and having been signed by the sender of the message, he is bound by the conditions therein stipulated. Telegraph companies are not subject to the same rules as common carriers, and C.C. 1676 does not apply.—*Clarence Gold Mining Co. v. Montreal Telegraph Co.*, C. C. (Caron, J.) 8 Q.L.R. 94.

#### GENERAL NOTES.

The difficulties which obstruct the administration of justice in Ireland are painfully illustrated by the statement that during the first quarter of the year there were six murders in that country, and not a single conviction; 1,417 outrages were committed, for which on 51 persons were apprehended and only 21 convicted.

A singular feature of sentences of imprisonment in Austria is the introduction of a fast day once a month. Director Jauner, convicted of negligence in connection with the Ring Theatre fire, is to observe a fast day once in each of the four months of imprisonment, and two other persons, sentenced to four and eight months respectively, are to be subjected to the like treatment.

The London *Law Times*, in commenting upon the influence of the English Bar, says: A contemporary notices the fact that the voice of the Bar has not been heard respecting the pending rules which threaten, among other things, practically to abolish trial by jury in civil cases. It is remarked that the Bar has no organization to protect its interests. We should have thought it was recognized by this time that the Bar has no interests worth protecting; and if it had, no organization could have any effect when a revolutionary Parliament is backed up by a unanimous judiciary.

On the 15th instant, in the House of Commons, the bill to amend "The Scamen's Act, 1873," was read a third time. Hon. Mr. Blake moved an amendment "that the said bill be recommitted to a Committee of the Whole, with instructions that they have power to amend the same so as to provide for a trial by jury of any person liable to be sentenced under the said bill to from two to five years' imprisonment in the Penitentiary." This amendment was intended to meet, in part, the objections to the Act stated by Chief Justice Dorion and Mr. Justice Ramsay in their dissent in the case of *Clarke & Chauveau* (*ante*, pp. 71, 85). The amendment was negatived, however, by 87 to 28.

Gibson, C. J., says, in Pennoek's Appeal, 14 Penn. State, 450 (A. D. 1850):—"It is wonderful how slowly the most obvious truths are perceived and admitted. The plain and simple morality of the gospel required a revelation. Even in my day at the bar, it was the constant practice of the Orphan's Courts to allow a charge, in administration accounts, for the price of strong drink furnished avowedly to stimulate the bidders at the sale of the decedent's effects".