

MONTREAL IMPORT AND EXPORT FIGURES.

The statistics of import and export of that city are never to be obtained at the Montreal Custom House promptly at the close of any month. One must wait ten days or a fortnight for them, whereas the Toronto figures are obtainable at her Customs office about the third or fifth of the following month. The figures which follow were procured for us on Thursday of last week, too late for our last issue. Value of imports at Montreal last month was \$3,665,281, and of exports \$5,845,687, aggregate thus \$9,510,968. In the previous October imports were larger by \$675,000 (most of the excess consisted of melado), but exports \$1,337,000 less, the aggregate in that month being \$8,229,236.

Free goods constituted not far from one-half the imports (\$1,695,733) last month. Coin and bullion, \$30,873. The falling off was general in dutiable goods, as a glance at the subjoined list will show; in fact the only notable items exhibiting increased purchase were spirits and wines, leather, earthenware and china, paper goods, drugs and manufactures of wood. There was a distinct decline in dry goods imports, and entries of metals were \$120,000 less than in the previous October.

IMPORTS.

	Oct., '91.	Oct., '90.
Cotton goods	\$70,382	\$97,595
Fancy goods	35,061	31,803
Furs, &c.	34,948	11,768
Hats and bonnets	14,349	17,178
Silk goods	47,555	54,959
Woolens	147,367	171,775
Total dry goods....	\$349,602	\$385,078
Iron and steel goods ..	\$486,913	\$562,823
Brass goods	15,389	21,336
Lead and m'frs	7,149	36,256
Copper do.	6,801	15,668
Other metals	11,596	10,205
Coal, bituminous	5,964	17,551
do., anthracite		
Fruit, dried	61,961	82,549
do., green	14,171	13,723
Earthenware, &c.	23,026	19,495
Drugs and medicines....	57,936	55,645
Glass and glassware....	57,852	83,986
Jewellery.....	30,797	53,258
Leather goods	40,270	35,487
Musical instruments....	12,368	14,320
Oils	49,123	72,394
Paper goods	39,510	31,179
Paints	46,311	51,258
Spirits and wines	68,398	63,649
Tobacco and cigars	13,158	14,624
Wood m'frs.	34,957	30,011

Turning to exports, the aggregate of Canadian products sent abroad was last month \$3,918,791 in value, the difference between this sum and \$5,845,687, being made up of United States dairy produce, provisions, wheat, wheat flour, rye, and Indian corn, to the value of nearly two million dollars, which reached Montreal from the Northern or Western States by Canadian routes bound eastward. We shall first give the figures of our domestic products exported, premising that "Products of the Mine" includes mineral phosphate or apatite, as well as ores and coal.

EXPORTS, PRODUCE OF CANADA.

Products of	Oct., 1891.	Oct., 1890.
The Mine	\$ 91,720	\$ 161,710
" Fisheries.....	13,887	17,075
" Forest.....	132,948	408,505
" Field.....	930,170	483,907
Animals & dairy.....	2,610,308	2,573,310
Manufactures	139,458	119,264
	\$3,918,791	\$3,763,772

The American goods classed among exports, in addition to above table, include, Oct., 1891: Butter, \$53,270; cheese, \$91,740; wheat, \$929,988; rye, \$462,195; maize, \$335,710; flour, \$17,254. Canadian field products exported in

cluded \$225,000 worth of fruit; \$125,000 worth of flour; \$75,000 worth of wheat, and \$54,000 worth of oats. Cheese amounted to \$1,162,654, and butter to \$175,405; horned cattle, slightly over a million dollars.

DECISIONS IN COMMERCIAL LAW.

SMITH V. BAKER & SONS (*Negligence*).—When a workman engaged in an employment not in itself dangerous is exposed to danger arising from an operation in another department over which he has no control, the danger being created or enhanced by the negligence of the employer, the mere fact that he undertakes or continues in such employment with full knowledge and understanding of the danger, is not conclusive to show that he had undertaken the risk so as to make the maxim "*Volenti non fit injuria*" applicable in case of injury. The question whether he has so undertaken the risk is one of fact and not of law; and this is so both at common law and in cases arising under the Employers' Liability Act, 1880.

The plaintiff in the present case was employed by railway contractors to drill holes in a rock cutting near a crane worked by men in the employ of the contractors. The crane lifted stones, and at times swung them over the plaintiff's head without warning. The plaintiff was fully aware of the danger to which he was exposed by thus working near the crane, without any warning being given, and had been thus employed for months. A stone having fallen from the crane and injured the plaintiff, he sued his employers in the County Court under the Employers' Liability Act, 1880. The jury found (1) that the machinery for lifting the stone, taken as a whole, was not reasonably fit for the purposes for which it was applied; (2) that the omission to supply special means of warning was a defect in the ways, works, machinery and plant; (3) that the employers or some person engaged by them to look after the condition of the works, etc., were guilty of negligence in not remedying the defect; (4) that the plaintiff was not guilty of contributory negligence; (5) that he did not voluntarily undertake a risky employment with a knowledge of its risks; and returned a verdict for the plaintiff for damages. Application having been made to enter judgment for the defendants on the ground that the case ought not to have gone to a jury, the plaintiff having admitted that he knew the risk and voluntarily incurred it:

Held that the mere fact that the plaintiff undertook and continued in the employment with full knowledge and understanding of the danger arising from the systematic neglect to give warning, did not preclude him from recovering; that the evidence would justify a finding that the plaintiff did not voluntarily undertake the risk of injury; that the maxim "*Volenti non fit injuria*" did not apply; and that the action was maintainable.

BENTLEY V. MANCHESTER, SHEFFIELD AND LINCOLNSHIRE RAILWAY Co.—Where a right is given by statute to do acts causing damage to other persons' property, subject to the payment to such persons of compensation, and the statute provides a special tribunal for assessing the amount of compensation, if such tribunal becomes non-existent, a person whose property has been damaged by the exercise of the statutory right is entitled to have the amount of compensation assessed in the High Court of Justice.

ADMIRALTY.—A German vessel, loaded at Singapore for London, took on board with

other cargo, a quantity of pepper shipped by British subjects, under English bills of lading in the usual form. On the voyage heavy weather was expected and the vessel put into a port of distress, both the ship and a portion of the cargo being damaged. The master telegraphed to this effect to the ship's agent at Singapore, and the contents of the telegram were communicated to the various shippers, but no instructions were received. Thereupon the master, acting in good faith, on the best advice he could obtain, and believing it to be for the benefit of the cargo owners, sold, with other cargo, a considerable portion of the pepper, much of which might have been re-shipped, and some of which was in fact sent on by the purchasers in other vessels to London, where it fetched substantially the price of sound pepper. In an action for breach of contract and conversion, brought by the plaintiffs, who were the consignees of the whole, and the purchasers of part of the pepper so sold by the master; it was held that the defendants, the owners of the vessel, were not liable, as the law of the flag must be looked at to determine the propriety of the sale, and by German law the conduct of the latter was justifiable.

OUR WINNIPEG LETTER.

"Civic reform" is the cry of the hour in Winnipeg. Winnipeg, like Toronto, is gradually awakening to the fact that a radical change in the administration of its civic affairs is necessary. The candidates for the mayoralty, Messrs. Alex. MacDonald and alderman Taylor, are both capable and energetic men, having the city's interests at heart. The great danger is that the contest will devolve itself into a political campaign, and the issues at stake be lost sight of. MacDonald is a well-known supporter of the Liberal party, while Taylor has always "voted straight," as a prominent Conservative politician remarked to-day, and here the difficulty lies.

There are many questions for the incoming council to deal with, that concern the city's interests very materially. The electric street railway franchise is one which appears to have been a stumbling block for the past eighteen months, and which the council is still struggling with. The time for receiving tenders for this undertaking expired at noon to-day, and much interest is evinced as to who the successful tenderers are.

The rate of taxation in Winnipeg for the year 1891 is 19½ mills, and the prospects are that this will be very materially increased next year, unless the affairs of the city are handled with foresight and prudence, as there are many needed improvements which cannot be delayed much longer if we are to keep pace with the requirements and growth of the city.

The *Tribune* has been assuming the role of civic censor, and claims to have brought to light numerous transactions between this year's council and city contractors that demand investigation, but the matter in all probability will rest there.

Some few days ago Winnipeg had a large deputation of prominent business men from Duluth, who were entertained by the mayor and aldermen in a befitting way. Much prominence was given by our Duluth friends to the important bearing on Winnipeg as well as Duluth the Winnipeg and Duluth railroad will have, and renewed interest is being taken in the question. One important feature will be the additional facilities for carrying our grain from the province, which our railways at present seem unable to cope with. Winnipeg to Duluth is also a shorter haul of