

"There's no bigotry about him. I can't stand bigotry and intolerance!" he went on, loosening his collar. "The bigotry and intolerance of the churches is what I object to. If I had my way I'd turn about nine-tenths of the churches into theatres, and drive nine-tenths of the members into the Atlantic ocean—That's what I'd do!"

"So glad you're not bigoted and intolerant, Mr. Poppenduke!" said the little fat man with a dreary yawn.

AN elaborate discussion of the difference between a glove contest and a prize fight is presented in the Louisiana case of *State v. Olympic Club*, 24 L.R.A. 452, in which the Court concludes that sports like the Sullivan-Corbett contest do not constitute prize fighting. Testimony of various leading citizens including prominent lawyers, a college professor, and other persons of like standing, is given at great length. One of the witnesses considered these contests much superior, both from a humane and æsthetic point of view, to the game of football.

If A. lets goods to B. on a hire purchase agreement, and B. sells them to C. who believes they are B's, C. has a good title. This was decided in *Helby v. Matthews* (L.R., (1894) 2 Q.B., 262.) But suppose B. is prosecuted to conviction, does this make any difference? The Divisional Court, on the 21st January last, in a case of *Payne v. Wilson*, decided that it does not.

ACCORDING to a contemporary, the police in New Zealand have the power, if they think a man is injuring his own health or neglecting his family as the result of habitual drinking, to take him before a magistrate and get his

drink stopped for twelve months, within a radius of twenty miles. After that, any hotel keeper supplying such a man with drink, and any person privately giving him drink, is liable to a fine; and if a prohibited man is found the worse for drink, he is to be arrested at once, and sent to gaol for three months' at hard labor.

It has often been said that the law is an exact science. It would seem that in applying it to the decision of cases, it is not exact or certain. Mr. Justice Gary, Illinois, in *Tripp v. O'Brien*, cites an opinion of Lord Mansfield to show that a wager upon a decision of a court of last resort is staked upon an uncertain event, this, so far as betting is concerned, places a horse race and the decision of a court upon the same footing.

Before Ferguson, J., in Chambers,
Jan. 18.

MERCHANTS BANK OF CANADA v.
KEMP. — EXAMINATION — SPECIAL
EXAMINER'S CHAMBERS — DISCRE-
TION AS TO ADMISSION OF PERSONS.

A Special Examiner has a discretion to admit or exclude from his chambers persons who desire to be present upon an examination; and where the defendant attended for examination as judgment debtor, but refused to answer questions unless a former partner of his, who was present to instruct counsel for the judgment creditor, was excluded. Held that the examiner rightly exercised his discretion in refusing to exclude, and the defendant was ordered to attend again at his own expense.

Biggar, Q.C., for the plaintiff.
Waldron for defendant.