

guarantee the delivery of any of the lots, as they had only sold such rights as they had. They further pleaded that the whole quantity of land that plaintiff bought was there, though lot 16 was not in it. Some proof had been made as to the effect of such an agreement in Ontario. The case, however, had to be decided by the law of this Province, and as to the law here there was no difficulty. The Court below dismissed the action, and the Court here was of opinion that the judgment was right. By the agreement the vendors only sold the rights they had, and there was no guarantee. The only thing that the purchaser would be entitled to would be a deduction of a certain portion of the price, if it had been paid. Upon this ground the judgment would be confirmed.

J. C. Hatton for appellants.

Lunn & Davidson for respondents.

COURT OF REVIEW.

Montreal, Oct. 31, 1878.

TORRANCE, PAPINEAU, JETTÉ, JJ.

[From S. C., Montreal.]

In re HATCHETTE, Insolvent, and HATCHETTE, Petitioner, and ROBERTSON et al., Contestants.

Insolvency—Composition—Reconveyance of Estate.

Held, that so soon as a deed of composition and discharge has been executed in accordance with the provisions of sec. 52 of the Insolvent Act of 1875, the assignee is bound under section 60 of the Act, to reconvey the estate to the insolvent, without waiting for the confirmation of the deed by the Court or Judge.

Judgment confirmed.

Macmaster & Co. for Contestants.

Davidson & Co. for the Insolvent.

COLLISIONS ON THE HIGH SEAS.

The following paper on the necessity of an International concert to punish criminally the non-observance of the international rules of navigation for the prevention of collisions on the high seas, was read before the recent Frankfurt Conference of the Association for the Reform and Codification of the Law of Nations, by Sir Travers Twiss, D.C.L., Q.C., vice-president of the association.

The application of steam-power to sea-going vessels has worked so great a change in the

conditions of ocean navigation as to render it necessary for nations to concert a common system of rules for the navigation of vessels on the high seas, with a view to prevent accidents from collision. It is obvious that the two ancient cardinal rules of navigation, which had hitherto sufficed for the guidance of sailing vessels on the high seas, namely, that vessels going free should give way to vessels on a wind, and that the vessel on the port tack should always give way to the vessel on the starboard tack, are insufficient for the safe guidance of vessels navigated under steam-power, and not under sail. Although the same principles of navigation might still be properly maintained in the case of steamers where applicable, it has been found requisite that the rules of navigation should be extended to other cases, seeing that the course of steamers is not governed exclusively by the wind, and that a steam vessel is enabled by a skillful use of her steam power to manœuvre in a manner, which is impracticable for a sailing vessel. Great Britain was amongst the leading states to set the example. She commenced by laying down formal rules for the navigation of steam vessels on her own rivers, and after some experience extended the rules to her own vessels on the high seas, and she included her sailing vessels under a reciprocal system of obligation when approaching steam vessels. British admiralty courts were also authorized by British statute law to regulate their judgments in cases of collision between British vessels on the high seas in accordance with the new rules. In due course of time, after experience had given its sanction to those rules, Great Britain entered into treaty arrangements with foreign powers, that their vessels should be navigated on the high seas under the same system of rules, and she has authorized her admiralty courts to apply the new rules to every vessel, whose flag has been brought, with the consent of its government, within the operation of the new rules. Cases of collision on the high seas have thus been brought by a common international concert under a new system of law, which has been built up on the lines of the ancient customs of the sea as far as possible, the steam vessel being regarded as a vessel going free, and able to get out of the way of a sailing vessel more readily than a sailing vessel can get out of the way of