orders under Rule 324 without any such condition, but would scrutinize very closely the material furnished upon such motions, and would not grant judgments, except in extreme cases.

JUST before going to press, the first of the letters on the interpretation of the Federal Constitution, known as the British North America Act, by the Honourable Mr. Justice T. J. J. Loranger, reaches us, and we look forward to a careful perusal of this and any other subsequent letters on the same subject, by the learned author. The motto on the title page, "*Si vis pacem, para bellum*," and the passage in the preface: "It is, in truth, the cause of the Provinces that I have undertaken to defend against an enemy which as yet appears only a spot upon the horizon, but this spot may increase in size, may become a cloud, and the cloud may bring forth a tempest! From out of this tempest may we never see arise . . . Legislative Union," indicates to us what the writer fears, and what he aims at averting. Mr. Loranger writes primarily from a Lower Canadian point of view, and will find many doubtless in other Provinces to concur in his hopes and fears. There are others however who think that a "complete non-conductor of national feeling between the Maritime Provinces and Ontario" is not, in the interests of the whole Dominion, a thing to be preserved at all hazards, and that if some scheme could be found which would without injustice cause a gradual assimilation of discordant elements, a great step in advance would have been taken; but, as we look upon the maintenance of a sound understanding of the proper constitutional relation between the several Provinces and the central power as a matter of vital importance to the future of our country, we shall study Mr. Loranger's dissertations with much interest, and hope hereafter to discuss them at greater length.

APPELLATE DIFFICULTIES.

THE case of *Williams* v. *Corby* (7 S.C.R. 470), which was decided by the Supreme Court as long ago as 1881, but which has been only recently reported, is another of those cases which present a curious conflict of judicial opinion, the net result of the litigation being that five judges pronounced in favour of the plaintiffs, and five in favour of the defendants. Under these circumstances therefore it is perhaps to be considered satisfactory that the ultimate decision was in favour of the defendants, if the conflict of opinion is a true criterion of the doubtful character of the plaintiffs' claim. The case arose out of the purchase by plaintiffs of a cargo of corn on behalf of the defendants as their agents as the plaintiffs contended. The corn was purchased by the plaintiffs and shipped to the defendants as being "at the defendants' risk," and so invoiced by the plaintiffs to the defendants. The plaintiffs however, instead of taking the bill of lading in the defendants' name took it in favour of the person whose name should be written by the plaintiffs on the margin. The plaintiffs drew on the defendants for the price of the corn, and then indorsed the draft (together with the bill of lading, as collateral security) to the Merchants' Bank, with instructions not to hand over the bill of lading, nor allow the cargo to be delivered until the draft was paid. The draft was accepted by the defendants, but on the arrival of the ship the cargo was found to have been damaged on the voyage, and the defendants then refused to pay the draft or accept the cargo. The plaintiffs then sold the cargo, and the action was brought to recover the difference between the amount realized by the sale and the contract price. The case was originally tried before Blake, V.C., who dismissed the plaintiffs' bill, but on appeal to the Court of Appeal his decision was unanim-