ham Railway Carriage and Wagon Company; and the *Times* suggests that the doctrine which holds comment upon legal proceedings which are going on before a court to be what it calls "a sort of constructive contempt of court" is of very recent origin. It even commits itself to the statement that "the Tichborne trial was the first great instance in which the rule in question was enforced." The observation is decidedly incorrect. In 1742 Lord Chancellor Hardwicke, in the case of *Roach* v. *Garvan*, 2 Atk. 469, cited the case of a certain Captain Perry, who was committed to the Fleet for contempt in printing his brief before his cause was tried, in which it was specially added that the contempt consisted "in prejudicing the world with regard to the merits of his cause before it was heard;" and, twelve years later, the same Chancellor committed one Mrs. Farley (2 Ves. sen. 520) for publishing in the *Bristol Journal* an answer put in by a defendant in chancery, and gave the same reason for his action. It is true that in *Exparte Jones*, in 1806, Lord Chancellor Erskine did not express his approval, neither on the other hand did he express his definite disapproval of that doctrine of constructive contempt which is undoubtedly still an established principle of the English law.

Turning to the present Lord Chancellor's bill, we find that it has two definite objects. In the first place it purposes to define and limit the punishment which shall be imposed for contempt of court in ordinary cases. This may not at first sight appear a necessary precaution, since there are very few persons who will venture, to assert, after reading the cases, that offenders have been, either as a general rule or in exceptional cases, punished for this offence with undue severity. In almost every case in which the person imprisoned has shown a desire to purge his contempt, and such purgation has been possible, he has immediately been released. To cases in which purgation is impossible, as, for instance, those of particular offences against wards in chancery, neither the foregoing observations nor the present bill are applied. They are applied only to ordinary acts of contempt, and our criticism upon this first part of the bill is that, except in providing for appeals under certain circumstances, it is not directed to the removal of any present grievance, but provides reasonable rules in the event of a possible miscarriage of justice. But the bill has what we might almost term a second chapter, which provides for a special class of cases. We are now familiar with the spectacle of an ecclesiastical offender who would rather be imprisoned for the term of his natural life than purge his contempt. Such cases have been deplorably common of late years. For them the Lord Chancellor suggests a most wise treatment. The third section provides that, in cases of continued and repeated contempt, the punishment shall also be continued and repeated, and the person offending shall be liable to be again imprisoned by summary order as often as he repeats the offence. But this might not be enough to deter the more obstinate class of ecclesiastical offenders; it is therefore proposed in section 16 that where the holder of any office within the meaning of the act disobeys the order of a court of competent jurisdiction as to any matter concerning the duties of such office, it shall be lawful for the court to limit a time within which he must submit. If the offender then continues in contempt, the court will be empowered to declare his office vacant, "as if he were dead." This section will be a deathblow to those ecclesiastical martyrs whose practice it is to continue in contempt and defy the court, since by its enactment they will be left without any ground to stand upon. It will also be something of a consolation to the general public to learn that, as regards persons who may be imprisoned for contempt at the time of the commencement of its operation, the Act is intended to be retrospective. On the whole, therefore, this is a measure of the most practical nature, admirably calculated to meet a class of cases which have hitherto presented the appearance of an insoluble problem.—London *Law Times*.

GENERAL NOTES.

Judge Phillips of the Macoupin (Ill.) Circuit Court, has rendered a decision which will be of decided interest to bank directors and officials. Stated briefly, the decision holds that a director of a bank is not an ornamental figurehead, but that it is his duty to keep posted as to the condition of the institution with which he is connected. In the case at bar a depositor in an insolvent bank sued the directors personally and recovered a verdict. The insolvency of the bank was caused by the fact that its cashier stole the funds, and the court held that it was the business of the directors to ascertain the true condition of the bank, and that they could not plead ignorance when due diligence would have discovered the facts.—*Chicago Legal News.*