

tiff's case substantially proved, allowed him \$60. The Trustees appealed, representing that the accident occurred on a temporary road which had become necessary in consequence of the Lower Lachine road being cut by the Aqueduct, and that the city corporation under whose direction the work was being done should be responsible for this. The majority of the Court of Appeal affirmed the judgment, holding that the trustees having collected toll from the plaintiff for passing along the road, became directly responsible to him for the proper condition of the road. Ramsay and Cross, JJ., dissented.

Judgment confirmed.

John Monk, for appellant.

Wurttele, Q. C., counsel.

Doutre & Co., for respondent.

WHITMAN V. CORPORATION OF THE TOWNSHIP OF STANBRIDGE.—In our note of this decision, p. 474, the ground of the dissent of Mr. Justice Cross was imperfectly stated. His Honor differed on the ground that adjoining proprietors are by law bound to fence front roads, and that the only demand made in the case was for damages caused by not fencing, and for cost of fencing.

NOTES OF CURRENT FOREIGN LAW.

REVUE DE DROIT INTERNATIONAL ET DE LÉGISLATION COMPARÉE.—Gand. Vol. IX, No. 4; Vol. X, No. 1.

The closing number of the *Revue* for 1877 contains a larger variety than usual of topics interesting to the student of comparative jurisprudence. Three articles are devoted to the law of as many states.

"The new Project of an Italian Penal Code compared with some foreign Laws, and examined from a theoretical Point of View." By A. Rolin, an advocate of Ghent, and secretary of the Institute of International Law.

"Austrian Legislation in 1876." By Dr. A. Geyer, professor in the University of Munich.

"Law Reform in Egypt; a Report to the Minister of Foreign Affairs of Greece." By M. N. Saripoulos, advocate at Athens.

There is also an article by the editor-in-chief, Dr. G. Rolin-Jacquemyns, on the "Relations of the Institute of International Law to the Cen-

tral Committee of the Society of the Red Cross."

The longest article, and no doubt the most valuable, although its subject has less interest just now for American lawyers than for those of Europe, is on "The Law of Booty in general, and especially the Law of maritime Prize," by Professor Bluntschli, of Heidelberg. This is an abridged and free translation from the recent work of the distinguished author, entitled "Das Beuterecht im Krieg und das Seebeuterecht insbesondere." The French version fills (with its conclusion in the following number) seventy-two pages of the *Revue*, and its conclusions are summed up as follows by the author himself, after a rapid survey of the gradual ameliorations which in the course of ages have been wrought out in the laws of war and booty:

"No distinction between war upon land and war upon sea, with regard to their effect upon private property, can be justified on principle. The rule governing all wars alike is that the contest is between States, and not between individuals; that its results affect public rights, and do not strike private rights except through the sovereign power, on which these rights depend; and, consequently, that private property is entitled to the same respect at sea as upon land. Although merchant ships may reinforce the navy, or transport troops, and, therefore, each belligerent has an interest alike in taking them from his enemy and in using them himself, still this does not justify the capture of such ships, but only a temporary seizure, with subsequent restitution and indemnity."

With the tenth volume of the *Revue* a change is made which we hope will commend it more than ever to American lawyers. It will hereafter appear bi-monthly, or six times a year, in numbers of from ninety-six to one hundred and twenty-eight pages. While making international and comparative law its chief object, it seems to be the purpose of the editors to pay more attention than heretofore to general jurisprudence. Professor Arntz, of Brussels, will take editorial charge of whatever pertains to the civil law, especially as now received by the great civil-law peoples of Europe—France, Germany, Italy, etc. Professor Rivier will take charge of the Roman law in its original form, and of the history of the law, including legal biography. Those who have seen the admira-