

OUR ENGLISH LETTER.

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(From our own Correspondent.)

THIS is a peculiar time to choose for writing a letter upon legal subjects, for it is precisely the last day but two of the Whitsuntide vacation. Nevertheless, there is certainly not any dearth of legal topics, either of a technical or a more popular character. Two recent decisions upon the law of betting partake of both elements. In *Read v. Anderson* an action was brought by what is known as a Turf Commission Agent to recover money paid by him on account of his principal. The matter stands at present in this position that Hawkins, J., who is himself something of a sportsman, and Bowen and Fry, L.JJ., consider that the action is maintainable on the ground that if the agent had not paid the money which he had lost on behalf of his principal, he would have incurred a genuine loss in that he could have been posted at "Tattersall's" as a defaulter, and could have been deprived of future chances of earning his living. The Master of the Rolls on the other hand held that the action must fail because the wagers, which were its original subject matter, could never have been enforced at law. One other case was tried before Hawkins and Smith, JJ., sitting as a Divisional Court, and resulted in a judgment to the effect that it would be most irrational to say that a man kept premises for the purpose of betting merely because betting took place upon those premises. Henceforward, it will be essential for the guardians of the public morality to prove in these cases that either the occupier of the premises or his servants for him are interested in the betting which there takes place.

In other respects the past sittings of the Supreme Court, although they have been by no means barren of work, have been unfruitful of interesting results. Very few

new lights have been shed upon the interpretation of the law, and the most important of new pieces of legislation, the new Bankruptcy Act, has been proved to be almost a dead letter. Under this, however, there have been a few decisions distinctly illustrative of the principle which underlies the Act. It is an Act for the glorification of officialism, and the tendency is to give such an interpretation of diverse sections as amounts to a reluctant confession that the official receivers have been placed in a position in which they are free from the control of, and above all responsibility to, the Court. In a recent case the official receiver simply declined to sanction the appointment of a trustee named by the majority of creditors, and upon an appeal it was held that the matter was one within the sole discretion of the official receiver, and that the court had no jurisdiction to interfere with him. The crop of books upon the subject is enormous; but the best of them is that of the veteran bankruptcy lawyer, Mr. Cooper Willis, Q.C. It is the only work which is thoroughly bold in suggestion, and it follows that, if the new Act is to be interpreted upon the principles enunciated by the late Sir George Jersel, this is precisely the class of book which is wanted.

MEANWHILE Parliament has been very active in the legislative way. The Franchise Bill will inevitably be passed, and will equally inevitably produce a large amount of work for lawyers. The Criminal Evidence Bill is, in its way, one of the most serious measures that has ever been introduced to the notice of Parliament. Its success is regarded as certain, and it cannot be long delayed. It has passed through the ordeal of the grand committee, its principle has long ago been approved by the House of Lords, and public attention has been directed to the matter by one or two recent cases. There was the