

Court of Appeal (Lord Esher, M.R., and Bowen and Smith, L.JJ.) were of opinion that after default the mortgagee became legally entitled to possession, and the mortgagor had then a mere equitable right to redeem, but that this equitable title would not enable him to maintain trespass even though the defendant improperly refused to accept the tender, which was bad as a tender owing to its being clogged with conditions. The plaintiff was held entitled to damages caused by defendant's negligence in the removal of the goods.

PRACTICE—NOTICE OF TRIAL—REPLY—CLOSE OF PLEADINGS—ORDS. XXIII., R. 1; XXVII., R. 13; XXXVI., R. 11—(ONT. RULES 381, 392, 654).

In *Robinson v. Caldwell*, (1893) 1 Q.B. 519, Lord Coleridge, C.J., and Hawkins, J., decided that where a plaintiff omits to file a reply he cannot give notice of trial until the lapse of twenty-one days from the filing of the statement of defence, as until then the pleadings are not closed, though they may be closed in the meantime by filing a reply, when notice of trial may be at once given.

None of the cases in the Probate Division call for any notice here.

Notes and Selections.

BENCH AND BAR.—The *Albany Law Journal* also has its little say about judges who refuse to adjourn for lunch during an assize in the following words: "A hungry court is notoriously an ill-natured court, and it is subjecting a prisoner to an unfair burden to compel him to stand trial before a judge who has not eaten anything for nine hours. Our only wonder is that the Chief Justice did not punish for contempt that Q.C. who persisted in ruining his health by those interpolated biscuits. Counsel in his courts would do well to adopt 'hunger belts.'"

CONSPIRACY TO REGULATE PRICES.—The retail coal dealers of a city formed an association, the main purpose of which was to fix a minimum retail price of coal for the city and vicinity, with the design practically to compel, under prescribed penalties, every coal dealer in the city to join it and regulate his business by its