

CORPORATION—COMMON SEAL—EXECUTORY CONTRACT—RATIFICATION.

Mayor of Oxford v. Crow, (1893) 3 Ch. 535, was an action by a municipal corporation. The defendant had made certain proposals to surrender a lease, pull down existing buildings, and erect new ones on condition of getting a new lease on certain specified terms. These proposals were made to a committee of the corporation—which had not been appointed under seal. On May 13th, 1892, the town clerk, on behalf of the committee, wrote accepting the proposals, subject to the approval of the council. On May 27th, 1892, the defendant wrote to the town clerk modifying his proposals. On June 1st, 1892, the council approved, but not under seal, the committee's acceptance of the original proposals, which acceptance was communicated to the defendant by letter. On July 21st, 1892, the defendant withdrew his proposals altogether. The action was brought to enforce the contract, but failed because it was not under the seal of the corporation, nor had it been ratified under seal.

JURISDICTION—TRESPASS TO LAND IN FOREIGN COUNTRY.

In *The British South African Co. v. The Companhia de Mocambique*, (1893) A.C. 602, the House of Lords have decided that, notwithstanding the abolition of local venues, an action for trespass to land in a foreign country cannot be brought in an English court, even though the defendant be resident within the jurisdiction. The decision of the court below reported, (1892) 2 Q.B. 358, was referred to in the recent case of *Henderson v. Bank of Hamilton*, 20 A.R. 646, and we are glad to see that the learned reporter has, with commendable diligence, noted the decision of their lordships in his footnote on p. 648.

PRACTICE—SECURITY FOR COSTS—APPEAL DISMISSED FOR WANT OF PROSECUTION—CORRECTION OF ACCIDENTAL ERROR IN ORDER OF COURT.

Wilson v. Carter, (1893) A.C. 638, disposes of a question of practice. An appellant having obtained leave to appeal, on giving security for costs, subsequently suffered his appeal to be dismissed under Rule 5 of the Orders of the P.C. of 1853. The order provided that the costs of the application for leave to appeal and of the transcript should abide the judgment of Her Majesty in Council, but omitted to add the words, "Or the result