

sans jour et sans terme, n'a que l'action en résolution et non l'action en revendication, encore, qu'il se soit réservé son droit de propriété jusqu'à parfait paiement et le droit de reprendre la chose, même sans procédés judiciaires." I think, moreover, that the case of *Bertrand v. Gaudreau* is distinguishable from this on another ground, which is cited in the case of *Brown v. Lemieux*; and it is this. Troplong, Priv. et Hyp. No. 184, says: "Si le vendeur n'avait pas accordé de terme; s'il n'avait livré la chose qu'à titre précaire, à titre de bail, par exemple, alors il pouvait garder la chose *jure pignoris*, ou la reprendre comme lui appartenant encore. This was evidently the case in *Bertrand v. Gaudreau*, therefore I do not disagree with that case.

Here, however, there certainly was a sale; and the stipulation as to the right of property remaining in the vendor, gave him no right to revendicate even as against the purchaser, much less as against a subsequent purchaser. For these reasons the action of the plaintiff is dismissed with costs.

A. N. St. Jean, avocat des demandeurs.

J. C. Lacoste, avocat du défendeur.

De Lorimier, conseil pour le défendeur.

(J. J. B.)

CANADA GAZETTE NOTICES.

The Scottish Imperial Insurance Company gives notice that it has ceased to transact business in Canada.

Messrs. William Cooper and F. B. Mathews, of Montreal, have been appointed liquidators of the Colonial Building and Investment Association.

A general meeting of shareholders of the Federal Bank of Canada is to be held at Toronto, Nov. 20, to consider a proposition to reduce the capital stock of the Bank.

The liquidators of the Exchange Bank of Canada give notice that claims are to be filed on or before December 1st, 1884. Claims are to be made up to the 22nd November, 1883, the date of the commencement of the winding up.

GENERAL NOTES.

The *Chicago Legal News*, referring to a recent case in Ontario, asks whether it is not a contempt of Court for any one to advertise as an attorney after he has been disbarred.

In consequence of the unauthorized publication of private state papers, it is said that Sir William V. Harcourt will introduce a bill making the betrayal of government papers a penal offence, alike for the person who sells and for the person who publishes them.

Chief Justice: "Mr. Williams, we think you ought to accredit this court with some knowledge of the law, and not occupy so much time in discussing elementary propositions." Mr. Williams: "May it please your Honors, I did so accredit the court below, and did avoid, therefore, the discussion of elementary principles, and for that reason I have been obliged to take this appeal."

The New York Court of Appeals has decided, in the case of *Murphy v. Orr*, that whoever drives horses along the streets of a city is bound to anticipate that travellers on foot may be at the crossing, and must take reasonable care not to injure them. He is negligent whenever he fails to look out for them, or when he sees and does not, so far as in his power, avoid them; and it is sufficient to show that if the driver had looked he would have seen the person injured in season to avoid him.

A man wants a piece of his neighbour's land to improve the approaches to his house, but the owner objects to sell, except under conditions. In the meantime a public body acquires the land compulsorily, but does not want the whole of it, and sells the surplus portion to the original owner's neighbour, who turns it to his desired purpose, free of all restrictions. Has the involuntary seller any remedy against the second buyer? None whatever, says Mr. Justice Chitty, in deciding such a case at Camberwell, where the School Board had been the purchasers under compulsion. Good law, doubtless, but rather hard, notwithstanding. The law calls this "*damnum absque injuria*." The suffering party generally thinks the first syllable sufficient.—*English Paper*.

Of the viceroys of India the first, Lord Canning, was English; the second, Lord Elgin, Scotch; the third, Lord Laurence, Irish; the fourth, Lord Mayo, Irish also; the fifth, sixth and seventh, Lords Northbrook, Lytton and Ripon, were English. The appointment of Lord Dufferin re-establishes an Irishman on the viceregal throne. For some time it has been a common joke in London "that our only general," Wolseley, and "our only ambassador," Dufferin, were both Irish. This vicereignty of India, it is stated, has been through Lord Dufferin's whole career, his point of aspiration. It is a mistake to suppose that money is to be made, as in the days of Clive and Hastings, or saved out of the salary of \$125,000 a year in the office, but it permits the husbanding of private fortune, and Lord Dufferin's finances need repair.—*Ex.*