ever large, of machinery, not an abandonment without longer trial of the principles embodied in the Judicature Acts."

ONTARIO.

It has been rumored that the honor of knighthood was about to be conferred on Chief Justice Moss, of the Court of Error and Appeal of Ontario. The rumor may be due to the fact that the Judge occupying a similar position in the Province of Quebec has been knighted. But there were obvious reasons for the conferring of the distinction in the latter case which do not apply to the newly appointed Chief Justice of Ontario. The report, at all events, seems to have been premature.

Fire Insurance.—In the case of *Benson* v *The Ottawa Agricultural Insurance Co.*, it was held by the Court of Queen's Bench, Ontario where a policy provided if any misrepresentation or concealment of facts was made in the application, the policy should be void, that the omission to state that the premises were situate near and opposite to a blacksmith's shop, was immaterial, and there was no concealment.

UNITED STATES.

Business Before the Supreme Court.—It appears that as in England so in the United States, there is considerable accumulation of business before the higher tribunals. Senator Davis, late a Judge of the Supreme Court, has in contemplation, it is said, a bill looking to the increase of the number of circuit judges, and the establishment of a sort of appellate court in each circuit, with jurisdiction in all causes involving an amount not exceeding $10,000. In an interview with a correspondent of the *N. Y. Times*, Judge Davis said:—"There are now nine Circuit Judges. I propose to increase the Judges to eighteen. It is a popular mistake to think the increase of the number of Judges of the Supreme Bench would expedite matters. It would rather retard them. The only way in which the Supreme Court could expedite matters, would be to have it divided up into sections, one taking this and another that branch of jurisprudence, the decision of each section to be final on the matters submitted to it. An attempt to do this would give rise to the grave constitutional question, whether litigants coming before the Supreme Court of the land are not entitled to the individual judgment of each member of the Bench. I am rather inclined to the opinion that the objection would be well founded."

RECENT ENGLISH DECISIONS.

Company.—In the articles of a company, it was provided that no person should be qualified for director who was not the holder of fifty shares. The board of directors afterwards undertook to elect H. a director, though he had no stock. He attended two meetings and then resigned. In the winding up it was attempted to make him a contributory to the extent of fifty shares. *Held*, that he could not be made a contributory, and that his election was void.—*In re Percy & Kelly Nickel, Cobalt, and Chrome Iron Mining Co.*, 5 Ch. D. 705.

Contract.—The defendants by the contract agreed to buy from the plaintiffs 600 tons of rice, to be "shipped" at Madras, in the months of March or April, 1874. 7,120 bags of rice were put on board between the 23rd and 28th of February, and three bills of lading therefor were signed in February. Of the remaining 1,080 bags, 1,030 were put on board February 28, and the rest March 3; and the bill of lading for the 1,080 bags bore the latter date. There was evidence that rice put on board in February was as good as that put on board in March or April. *Held*, that the contract had not been complied with, and the defendants were not bound to accept the rice.—*Bowes v. Shand*, 2 App. Cas. 455.

Evidence.—Life Insurance.—On the 16th April, 1874, the respondent brought an action against the appellants on a policy of insurance of one N., dated 28th September, 1863. N. disappeared in May, 1867, and a sister and brother-in-law testified that none of his family had heard anything of him since that time, but his niece said she had seen him in December, 1872, or January, 1873, when she was standing in a crowded street in Melbourne; that she started or turned to speak to him, but before she could do so he was lost in the crowd. She had told this circumstance to N's. other relations. The jury informed the court that they did not consider this evidence conclusive that she had seen N. Counsel for plaintiff asked the court to instruct