

to set aside an order for service of the writ, and to stay all proceedings, on the ground that he was an independent sovereign prince, over whom the court had no jurisdiction. The judge before whom this motion came caused a communication to be made to the Secretary of State for the Colonies, and in answer a letter was written to the judge by an official at the Colonial Office informing him that the defendant was, in fact, recognized by Her Majesty as an independent sovereign prince. It appeared that the defendant had been living in England *incognito*, and had passed himself off as "Mr. Baker," and it was alleged that while so residing he had made the alleged promise. Wright, J., before whom the motion originally came, made the order as asked, and this was affirmed by Wills and Laurance, JJ., whose decision, in turn, was affirmed by the Court of Appeal (Lord Esher, M.R., and Lopes and Kay, L.JJ.), who considered the case governed by the decision of the Court of Appeal in *The Parlement Belge*, 5 P.D. 197. The Court of Appeal also held that Wright, J., had taken the proper course in order to ascertain the status of the defendant. The court was also clear that, although a foreign sovereign might submit to the jurisdiction of the court, yet that the fact of the defendant having taken an assumed name, and acted as a private individual, afforded no evidence of such submission.

NUISANCE—REVERSIONER, LIABILITY OF—LANDLORD AND TENANT—WEEKLY TENANCY—INJURY CAUSED BY DEFECTIVE REPAIR OF DEMISED PREMISES.

In *Bowen v. Anderson*, (1894) 1 Q.B. 164, a very similar question was raised to that involved in *Hett v. Janzen*, 22 O.R. 414. The plaintiff was injured through a defect in the coal plate in the pavement in front of a house owned by the defendant, but let by him to a weekly tenant. The evidence showed that the defect had existed some months before the accident, but was conflicting as to whether the accident was owing to the neglect of the tenant to secure the plate properly, or to a defect in the flagstone in which the plate was set, or to the presence of clay which prevented the plate from fitting. On this evidence a verdict was found for the plaintiff; but Wills and Collins, JJ., ordered a new trial, on the ground that some essential questions had not been left to the jury, viz., whether or not the defendant had provided proper means to secure the plate, and whether or not the acci-