

duced by the plaintiff. The defendants, Black, produce two witnesses to value. Of these Marc Trudel valued the land at \$2,100, and Charles Barré at \$2,500. The Court prefers much the testimony of A. Roy and J. Simard. The only other witness examined for the defendants was the plaintiff, who says he looked at the property, and got a Mr. Brown, the valuator, to do so for him before he accepted the offer of the Blacks. He said he was no judge of values of land, but is not asked what Brown valued it at. The Court does not attach importance to the fact that a mortgage was given by Roy for \$3,000 in lieu of the *baillieur de fonds* claim. The Court fully appreciates the remark of Mr. Geoffrion, that an obligation with hypothèque would be a more desirable security than the transfer of the *baillieur de fonds*, for the reason that the *baillieur de fonds* might be subject to reduction on the complaint of the purchaser.

The Court must regard the sale to Theodore Roy as a sham, seeing the low value put on the property by valutors compared to the price put into the deed from Proulx to Black, and from Black to Roy, seeing that Roy was without means, never entered into possession, and never paid any money, seeing the story told by Proulx and by the Roys, father and son. Holding this view, the defendants will be condemned to pay the plaintiff \$2,000 as his personal debtors, and the transfer, so far as the plaintiff is concerned, is set aside. The sale to Theodore Roy was a simulated one. "Depuis longtemps la doctrine a défini la simulation. Elle est le déguisement de la vérité; on appelle simulé l'acte qui n'est pas expression sincère de l'intention réelle des parties: cum aliud agitur, aliud simulatur vel scribitur." Bédarride de la Fraude, n. 1257.

Judgment for plaintiff.

L. N. Benjamin for plaintiff.

Geoffrion & Co. for defendants.

GENERAL NOTES.

THE NEW LAW COURTS.—The Queen opened the new Courts of Justice in the Strand (Dec. 6) with imposing ceremonies. Thousands of persons assembled along the route of the Royal procession from the Paddington Railway Station to the Courts. The procession, which consisted of the Queen, Princesses Christian and Beatrice, the Court officials and a large escort, started at half-past eleven o'clock. All the judges had previously proceeded in state from Westminster to await, with the Prince and Princess of Wales, the

arrival of the Queen. The proceedings at the Courts were brief, consisting of the delivery of the key to the Queen by the First Commissioner of Works and by her to the Lord Chancellor. After prayer by the Archbishop of York and the formal announcement of the opening of the Courts, the Attorney-General obtained royal leave to enter the proceedings upon the records of the Court. All the diplomats and Cabinet Ministers and other officials were present at the ceremony. The weather was magnificent, and the occasion was considered a good one. Lord Selborne, the Lord High Chancellor, has been created an Earl in honor of the event. The last act before the handing of the Courts over to the legal authorities was a two hours' search, similar to that which has always been made since the gunpowder plot, before the opening of Parliament. The Court party were mourning in consequence of the death of the Archbishop of Canterbury.

At one of the trials in which Sir Robert Christison was engaged, one of the points of the defence was that there was no trace of the poison (strychnia) found in the body. In answer, Sir Robert said he knew of a substance so deadly that a minute dose of it would infallibly prove fatal, and so subtle that the most careful examination would fail to detect its presence in any of the tissues. He was about to name the substance, when the presiding Judge begged him to keep so important a secret to himself, lest it should be used successfully for criminal purposes. Sir Robert used to tell in after years how for days his breakfast table was loaded with letters begging to know the secret.

AN impression prevails that the punishment of five years' penal servitude inflicted upon Soutar for the Dunecht outrage is one of excessive severity. This impression we cannot share. We have had only too many examples that a notorious crime is sure to find its imitators, and it is therefore important that the first instance of a new form of crime should meet with exemplary punishment. The crime of abducting a dead body for the purpose of extorting a reward from the relatives is altogether different from the old vulgar body-snatching for anatomical purposes, and more likely to excite the imagination and tempt the imitation of a higher class of criminals. The old form of body-snatching was put an end to by providing a legitimate source of supply for the necessary demand; we may hope that Soutar's failure to obtain any reward, and his exemplary punishment, will prevent its new form becoming acclimatized in this country.—*London Law Times.*

LES MÉNONITES établis sur la réserve à l'ouest d'Emerson, Manitoba, se trouvent dans un singulier embarras. Bien que chacun soit propriétaire indépendant d'une certaine étendue de terre, ils ont tous construit leurs maisons sur le même terrain de manière à être plus rapprochés et former un village. Or, voici que le propriétaire de la terre sur laquelle le village est situé, vient de demander une patente après avoir fait les améliorations exigées par la loi. Il a même vendu son homestead par avance, et le village qui y est construit semble aussi compris dans cette transaction. Un agent du gouvernement a été envoyé à Ottawa pour s'entendre avec les autorités et en venir à une solution.—*Le Courrier de Montréal.*