

Notes on Exchanges and Legal Scrap Book.

THE CANADIAN CONSTITUTION.—The *Law Quarterly Review* for March gives nineteen pages to an article on this subject, by Mr. J. E. C. Munro, which is to be a portion of a forthcoming work on "The Canadian Constitution." After glancing at the area and population of each of the constituent units of the Dominion, and briefly tracing the history of confederation, the writer enumerates the sources from which the student must gather his information concerning the Canadian Constitution. In addition to the B. N. A. Act, there are (1) English Statute Law; (2) Canadian Statute Law; (3) Provincial Statutes; (4) Imperial Orders-in-Council, of which the most important are those admitting British Columbia, Prince Edward Island, and the North-West Territories into the Union; (5) Dominion and Provincial Orders-in-Council; (6) Orders and Rules of the Dominion Parliament and Provincial Legislatures; (7) Usage. The distribution of legislative power is treated somewhat fully, references being made to the B. N. A. Act, to the cases decided under it, and to various other authorities. An attempt is made at a classification of the various powers of the Dominion Parliament and the Provincial Legislatures, and they are grouped under seventeen heads. Each of these is then enlarged upon. The control of the Provinces by the Dominion, including the vexed question of the veto power, and Imperial control over Canada, are the concluding topics of the paper.

LIABILITY OF INN-KEEPERS.—The responsibility of the proprietor of the inn or tavern for injury inflicted on one guest by another guest, who has been allowed to remain on the premises in a state of intoxication, was at issue in *Rommel v. Schambocher*, lately before the Supreme Court of Pennsylvania. We condense the facts from the report in the *American Law Register*. The plaintiff, a minor, entered the tavern of the defendant, and there found one E. F. They both became intoxicated on liquor furnished them by the defendant. While the plaintiff was engaged in conversation with the defendant, E. F. pinned a piece of paper to the plaintiff's back, and set it on fire, whereby the plaintiff was severely injured. The appeal to the Supreme Court of the State was from a decision that the facts were not sufficient to sustain a claim for damages against the tavern-keeper. This decision was reversed by the Supreme Court. The defendant did see, or might easily have seen, all that was going on. When one enters a saloon or tavern, opened for the entertainment of the public, the proprietor is bound to see that he is properly protected from the insults or assaults, as well of those whom he employs, as of the drunken and vicious men whom he may choose to harbour. *The Pittsburg and Conneilville Railroad Company v. Pillow* was cited and followed. In that case a drunken row occurred in a railway car, a bottle was broken in a quarrel, and a piece of the glass struck a peaceful passenger in the eye, and put it out. The company were held responsible. Drunken