

that England had the worst system of criminal law in the world at his day, but that, on the other hand, it was the best administered. And he was right.

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## REPORTS AND NOTES OF CASES.

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### Dominion of Canada.

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#### SUPREME COURT.

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Que.]

PARSONS v. HART.

[June 12.]

*Shipping—Bill of lading—Ship's agent—Mandate—Customs of port—Delivery—Carriers.*

A trade custom, in order to be binding upon the public generally, must be shewn to be known to all persons whose interests it would be to have a knowledge of its existence, and, in any case, the terms of a bill of lading, inconsistent with and repugnant to the custom of a port, must prevail against the custom.

Judgment appealed from reversed, the Chief Justice dissenting. *Atwater*, Q.C., and *Duclos* for appellant. *Macmaster*, Q.C., and *F. S. MacLennan*, Q.C., for respondent.

Que.]

BRIGHAM v. BANQUE JACQUES CARTIER.

[June 12.]

*Insolvency—Compromise—Secret agreement—Bribery.*

A commercial firm having made an abandonment of its property for the benefit of its creditors under the provisions of the Code of Civil Procedure, a secret arrangement was made whereby a particular creditor, without any legal right to preference or priority, was secured an advantage over the other creditors, through the assistance of one of the inspectors of the insolvent estate to whom was promised a sum of money for his personal use upon his advising the acceptance of proposal for the purchase of the estate upon a composition at a rate on the dollar to be paid to the creditors of the estate generally. The preferred creditor was, under the concealed arrangement, to receive an amount greater than the rate of the composition proposed, such additional sum to be paid by a third person who took no direct interest in the estate purchased.

*Held*, that the agreement was fraudulent and void; that the proposed payment by the third person was as much a fraud upon the general body of