the appellant in the streams referred to, none of them was capable of being used, over. in times of freshets or high water, although one of them, the Mississippi, below the place where the improvements were made, came within the character of a navigable stream. It was either admitted or sufficiently established in the evidence that the appellant was seized in fee simple of the lands on each side of the streams adjoining the improvements, and though there was an attempt to affect the absolute perfection of the title, it was not disputed that he was in possession *qua* owner in fee at the time of the wrongdoing. It is contended that though the appellant was seized in fee of the lands where the improvements were made, still the beds of the streams were vested in the Crown for the public use, and in virtue of such seisin in the Crown the respondents were entitled to float their logs by means of the improvements referred to. There was, however, no reservation of the beds, which the grant of the lands abutting on the streams carried with it, and he therefore held that the appellant was seized in fee of the beds of the streams. He cited the judgment of Sir James Macaulay in the Queen v. Meyers, which was given four years after the passage of the 12th Vic., cap. 87, on which the respondents relied, but with a full knowledge of the intention of that, it never entered into the head of that learned Chief Justice that private streams which had been made navigable only by a large expenditure of private capital on private property were to be included in its provisions. The Court of Common Pleas of Ontario had expressed a similar view on two occasions, but the Court of Appeal for Ontario had in this case held that all these decisions were wrong. Apart from the imputation of arbitary interference by the Legislature with private property without the compensation which such a decision involved, a careful investigation of the language of the statutes and the decisions of the courts led clearly to the conclusion that the decision of the Court of Appeal could not be upheld. There has not been a judicial decision as to the rights of the public at common law in streams down which lumber might be floated before the passage of the 12th Vic., cap. 87, and the object of that enactment was to establish the right to float lumber down such streams, a right which four years afterwards the Court of Common Pleas, in the Crown against Meyer, declared that the common law, applied to the peculiar circumstances of Upper Canada, was sufficiently elastic to secure *jure naturali*, and the depending on the effect of user. It was impossible that the Legislature could have designed to declare that it should be lawful for all persons to float logs down streams which had not sufficient capacity to allow logs to be floated down, even during freshets, or to prevent persons erecting improvements on streams which had not such capacity Neither could it be believed that they intended to provide that if a person was to make a stream not having that capacity capable of floating logs, &c., the stream should at once become open to the public, without the consent, molestation, or interruption of the person who had expended his own property, and without any compensation whatever to the owner of the property who had constructed the works on his property which gave the stream its capacity by artificial means. It was impossible to apply such an interpretation without an utter disregard of the plainest principles of justice. Other Acts showed that the Legislature could have had no such intention, as they, with scrupulous regard for private rights, provided that no man should be interfered with in the enjoyment of his private rights without his consent, and without full compensation. It was, therefore, impossible to hold that all persons were entitled to use as public private works erected on private property without the consent, and in fact against the will, of the person who had constructed them. His Lordship was, therefore, of opinion that the plain, natural, and reasonable construction of the 12th Vic, cap. 87, was that the object was simply to prevent any person, even the owner in fee, of the bed of the stream, by any obstruction erected across the stream, from interfering with free passage down the stream of such logs or timber as, but for the obstruction, could be floated down, although they could be floated during freshets. The judgment of the Court of Appeal must be reversed, the appeal allowed to the judgment of the Court of Chancery restored, with costs to the appellant in this court and the courts below.

Jugment was entered accordingly.

Mr. J. BETHUNE, Q. C., for the respondent, applied for leave to appeal to the foot of the Throne.

The CHIEF JUSTICE said he could only give the same answer he gave to all such applications. The court could neither grant the leave nor refuse it.—*Mail*

"MAY IT PLEASE YOUR HONOUR."

(Evansville, Ind., Journal.)

"There are three points in this case, may it please your honor" said the counsel. "In the first place we contend, that the kettle in dispute was cracked when we borrowed it, secondly, that it was whole when we returned it; and thirdly, that we never had it." Such logic might appear ridiculous but for the fact, that the remarkable evidence produced in some of the great murder and "scandal" cases which have had legal ventilation in this country during the past few years, was of no less an edifying and conflicting nature. In strongest contrast to this many sided kind of testimony, are the following emphatic and uniform statements made by well known business men of Evansville, to a reporter of the *Journal* who was commissioned to get their opinions and experience relative to the article in question, and of which such astonishing reports are appearing in many of our leading exchanges. Mr. Charles Laval; proprietor of the Prescription Drug Store, Cor. Locust and Third Streets, upon learning the nature of the writers visit, said that his sales of the St. Jacobs Oil were large and always increasing. That very many people to whom he had sold the article, called and reported it to be the most excellent remedy for rheumatism, neuralgia, &c. "We can safely say that St. Jacobs Oil has effected within the past year, more cures than any other liniment we have ever sold," were the words of Messrs. Isaacs & Failing, [illegible] Main Street. Mr. Frank S. Mueller, who [illegible]s at 925 W. Franklin Street, cited the case of Mr. Henry Rhenick, who for four years suffered with Rheumatism, which was cured by the use of two bottles of St. Jacobs Oil. At the Canal Drug Store Mr. G. A. De Souchet, was pleased to say that all united in claiming it the best liniment they ever used. There was a growing demand, and a number of his customers had called to testify to specific cures. Learning that a member of the well known firm of Kerr & Morgan, proprietors of the boarding stables 286 Locust Street, had had experience with the article, a visit revealed the fact that a few applications of the St. Jacobs Oil cured him of an attack of Rheumatism, causing him to feel like a new man. Mr. George Knortt, with the Ingle Ice Co., experienced the same happy results from a bottle of the Oil in a case of Rheumatism, which had troubled him for six weeks. Mr W. Weber, Druggist at 630 Main Street said, that the St. Jacobs Oil could be recommended with a clear conscience for the prompt allevation and cure of all the various painful ailments which could be reached by an external remedy. Similar testimony was received at all the different places visited, among which were the Farmer's Drug Store of F. A. Illing, 515 Fulton Avenue; and L. W. Deusner & Co., Cor. Second and Seymour Streets. It should be stated, that our fellow citizen Mr. J. Bertelsen, Upper Second Street, from his personal experience, recommends the St. Jacobs Oil as the best article of its kind.

Such indorsements as these, carry no double meaning; there is but one inference; and as has been well said by the *Chicago Times* after interviewing some of its leading citizens, "they should be enough to satisfy the most skeptical, of the wonderful, almost miraculous properties contained in these little bottles."

A SECRET.—The secret of beauty lies in pure blood and good health; without the one the other is impossible. Burdock Blood Bitters is the grand key that unlocks all the secretions, and opens the avenue to health by purifying and regulating all the organs to a proper action It cures all Scrofulous Diseases, acts on the Blood, Liver, Kidneys, Skin and Bowels, and brings the bloom of health to the pallid cheek.