

the fire the barn contained some grain and hay, and a threshing machine, for the loss of which an action was brought. One of the conditions of the policy was, that if the assured "misrepresent or omit to communicate any circumstance, which is material to be made known to the company in order to enable them to judge of the risk," the policy would be avoided. *Held*, that the plaintiff could not recover, because, the insurance having been effected solely on account of his fear of M., the answer to the above question was untrue.—*Campbell v. Victoria Mutual Ins. Co.*, (Q.B.)

Breach of Promise of Marriage.—In an action for breach of promise of marriage, the evidence showed that the plaintiff who had been seduced by the defendant, had told her father that she was going to get married to the defendant; and that plaintiff's father had said to defendant "and you promised to marry her," to which the defendant replied, "I will marry her if it is mine." The jury found a verdict for plaintiff, with \$200 damages. *Held*, that the admission of the defendant, and the statement of the plaintiff to her father, her apparent acquiescence, coupled with her probable desire under the circumstances to bring about a marriage, were sufficient evidence to go to the jury, of a mutual agreement to marry, though there was no actual promise proved on plaintiff's part.—*Fisher v. Graham*, (C.P.)

Accident Policy—Death from voluntary exposure to unnecessary danger.—N., being insured with defendants against death by accident, was killed by a railway train in the yard of the Northern Railway Company at Toronto,—a place which it was unlawful for him, not being an employee of the Company, to enter, and into which he had unaccountably driven. He was last seen by a witness who watched him, driving over and among a network of tracks, and who, while he was entangled in a switch gate, warned him not to go farther or he would be killed, to which deceased made no answer. By certain of the conditions of the policy it was stipulated that it should not "extend to any bodily injury when the death or injury may have happened in consequence of voluntary exposure to unnecessary danger, hazard or perilous adventure, or of violating the rules of any company, etc., or while engaged in, or in

consequence of, any unlawful act." *Held*, that the plaintiff could not recover.—*Neill v. The Travellers Insurance Co.*, (C.P.)

GENERAL NOTES.

Mr. T. Bouthillier, formerly Sheriff of Montreal, died Feb. 28, aged 85.

The oldest notary of the Province of Quebec, Edouard Glackmeyer, is dead. Mr. Glackmeyer was admitted as a notary in 1815. He is said to have been also the oldest justice of the Peace in the District of Quebec.

The *Canada Law Journal* says: "The S.S. collar, lately worn by Lord Coleridge as Chief Justice of the Common Pleas, is said to be the same worn by Lord Coke. It may not be amiss here to mention, for the benefit of the unlearned in such matters, that the S.S. chain, or collar, worn as a distinctive badge of honor by the Chiefs of the English courts, is said, according to some old traditions, to be named from Sanctus Simplicius, a Christian judge and martyr of the time of Diocletian. It is usually passed down from retiring or deceased chief justices to their successors. Lord Coleridge, we presume, takes his Common Pleas S.S. with him to the Queen's Bench."

An interesting record of the Dartmouth College *alumni* shows that since the institution was chartered in 1769, diplomas have been issued to 4,275 young men. Out of the number there has been 1 chief justice of the United States Supreme Court, 2 members of the same court, 6 cabinet officers, 6 ambassadors of foreign courts, 16 senators in Congress, 65 representatives, 20 chief justices of courts, 163 judges, 23 governors, 18 presidents of State senates, 31 speakers of houses, 27 United States district attorneys, 4 attorney-generals of States, 5 judges of the United States Circuit and District Courts, 49 presidents of colleges, 3 United States consuls-general, 1 comptroller and 1 register of the treasury, 950 ordained ministers of the gospel, 1,196 lawyers, 332 physicians, 1 major general, 13 brigadier generals, 13 colonels, 13 lieutenant colonels, 12 majors, 2 adjutants, 33 chaplains, 33 captains. It appears from the above that more than one fourth of the total number of graduates became lawyers.

BRITISH COLUMBIA.

LAW SOCIETY.—The following resolution was unanimously passed at a large meeting of the Incorporated Law Society, held on the 5th inst. at the Secretary's office:—*Resolved*, That the Incorporated Law Society of British Columbia desire to express their thanks to the Hon. Mr. Walker for the very able and satisfactory manner in which he has accomplished the difficult undertaking of compiling a new code of Supreme Court Procedure, and their appreciation of the immense amount of labor which, in spite of the grave and arduous duties of the Attorney-General, has been bestowed upon the Code—a work which will form the basis of all future civil practice in the Province.—*Victoria Standard*, Feb. 8th.