

DINNING et al., appellants; and WURTELE et al., respondents.

Injunction—Merchants' Shipping Act.

Held, an injunction will lie under the Merchant Shipping Act of 1854 (Imp.), sect. 65, with regard to a ship to be built or about to be built, unregistered under the provisions of the Act of the Parliament of Canada, 33 Vict. c. 128, s. 36.

Judgment of Superior Court confirmed.

GRENIER, Appellant; and POTHIER, Respondent.

Promissory Note.

Action on a promissory note. Pending suit the note was returned to the drawer, as plaintiff pretended, by mistake for another note of smaller amount, the subject of another suit. The Superior Court maintained plaintiff's pretensions, and this judgment was confirmed in appeal, Ramsay, J., dissenting.

Judgment confirmed.

(In the following cases, heard at Quebec, judgment was rendered at Montreal, Dec. 22.)

CONNOLLY, Appellant; and THE PROVINCIAL INSURANCE COMPANY, Respondents.

Warrantly, compliance with—“To go out in tow.”

Held, (reversing the judgment of the Court of Review, Quebec,) that the warranty “to go out in tow” in a policy of insurance, without its being specified how far, is complied with by the towing of the vessel out from the wharf where she was lying, the expression not being technical and having no special meaning by usage in the port of Quebec. (Cross, J., diss.)

Judgment reversed.

MOISAN, Appellant; and ROCHE, Respondent.

Held, (reversing the judgment of the Court of Review, Meredith C. J., *diss.*) that revindication will lie by a judicial guardian to recover possession of property placed in his charge.

TASSER, J., *diss.*, thought the action did not lie.

CHASS, J., *diss.*, thought the action would lie if the guardian had ever been in possession.

Judgment reversed.

CURRENT EVENTS.

GREAT BRITAIN.

DELAYS OF BUSINESS.—The re-organization of the judicial system in England has not facilitated the dispatch of business. Complaints

of the law's delays are very numerous in the daily press, and the *Times* of January 2, reviewing the business of the last two years, has the following:

“The condition of the law lists at the close of the last sittings proves only too clearly that the evils of delay which have been so often complained of during the past year are not of any accidental or passing nature. An account which we publish in another column shows that when the sittings commenced there were 500 causes for trial in London, and of these, with new causes entered, there remained nearly 300 standing over when the holidays commenced. In Middlesex the sittings began with a list of 860; they end with a list of 723 awaiting the labors of the new year, and these latter figures are the more remarkable as nearly 200 of the original 860 were withdrawn when the time of trial approached. In fact, less than 200 were actually tried, and of those standing over for trial at this moment 683 are now, as far as the process of the Courts is concerned, ready for trial, but, judging by the rate of progress made last sittings, should these cases prove even as substantial as the 860 standing for trial in November, they cannot be got through before the commencement of the next Assizes. The remainder of them would then stand over, along with all the causes which may come into existence in the meantime, until the sittings at Easter. Such a state of things produces manifold evils which cannot be long tolerated by the public. The suitor coming in good faith to seek the assistance of the Courts is denied justice until his patience or resources are exhausted. In questions of commercial business, which make the main portion of civil causes, time is often the most important consideration, and the fact that the suitor may have to wait six months or a year before he can have the facts of the simple question of contract on which he relies affirmed by a jury is a direct premium on fraud. There is not only the loss of precious time; there is the danger of evidence passing away, of the death of witnesses, or, if the suitor be able to escape these more serious perils, there is the cost or inconvenience to himself or to his witnesses of securing their attendance after a long interval of time. In great commercial cases an important witness may be here to-day and in New York next month. With a case pending among seven or eight hundred others it is impossible to say with any certainty when the witness's evidence will be required. It is true a Commission may be issued to take evidence in a particular foreign country; but a Commission is an enormous addition to the cost, and the witness may be moving about. But for the witnesses having engagements in different parts of the kingdom there is not even the resource of a Commission, and business arrangements in Liverpool and Glasgow must be made continually subject to disturbance by the