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By a cablegram from Paris we learn of the death of Mr. Justice Rainville at that city on the 6th instant. The deceased was born in 1839, and was educated at St. Hyacinthe College and Laval University. He was associated for a time with the Hon. Mr. Chapleau, and subsequently with Mr. Joseph Duhamel, Q.C. In 1876, he was appointed a justice of the Superior Court. The Liberal party, then in power, had been so long in the cold shades of opposition, that there was a scarcity of lawyers of that side eligible for judicial position, and Mr. Rainville profited by it. The young judge acquitted himself well, even brilliantly, but in 1886, his health having failed, he retired on a pension, and has since resided chiefly in Paris.

Beever v. *Hanson*, in the Queen's Bench, England (25 L. J. Notes of Cases) was a case resembling in its facts the recent Montreal case of the *Dominion Oil Cloth Co. & Coallier*, M. L. R., 6 Q. B. 268, and was decided upon the same principle. The plaintiff was a person employed as a lead worker in a rolling-mill. It was his duty to guide the lead through the rollers. Sometimes the rollers failed to grip the lead, and then it was necessary to exert some pressure upon the lead. To do this the plaintiff had been in the habit of stepping over the cogs which drove the rollers, in order to get on the machine from a platform. On one occasion he did not take a sufficiently long stride, and his right foot slipped off the edge of the machine between the cogs and the engine, and was cut off. The plaintiff obtained a verdict and judgment in a county court, but on appeal to the Queen's Bench the judgment was reversed by Coleridge, C.J., and Wills, J. The principal or sole ground on which the plaintiff's counsel relied, was that after the accident the cogs were covered over with a board so as to render a recurrence of the accident impossible. The Lord Chief Justice in his observations repelled the idea that this was any evidence of negligence. His lordship said: "There is a rolling machine and three or four small cogs which revolve, and which everyone who has to work the machine knows and can see. The plaintiff saw the cogs working rapidly and stepped across them two or three times, when his foot slipped and he got entangled. Obvious common sense points out that if anyone crosses a machine in full action and driven by steam he runs a great risk of entangling either his coat or trousers in the revolutions of the wheel, and damage follows. Now a perfectly humane man naturally makes it physically impossible that a particular accident, which has once happened, can happen again, by fencing or covering, or, at any rate, making safe the particular thing from which it arose. That, however, is no evidence of, and I protest against it being put forward as evidence of, negligence. A place may be left for a hundred years unfenced when at last some one falls down it. The owner, like a sensible and humane man, then puts up a fence, and upon this the argument is that he has been guilty of negligence, and shows that he thought the fence was necessary, because he put it up. This is both most unfair and unjust. It is making the good feeling and right principle of a man evidence against him. This is no evidence of negligence. Beyond this, in the present case, there was no evidence of negligence at all except the opinion of the inspector, who said he considered the place dangerous because people going up the steps to feed the machine might slip, and if they did slip they might put out their hands, and if they put out their hands they might get them into the cog-wheel. Anything might be dangerous at that rate. If a man slips anywhere near a steam engine and puts out a hand to save himself and the hand gets into the machinery, probably there is an end of his hand; but this does not show that there is negligence on the part of the owner of the steam engine because someone slips and does that which is perhaps irresistible. It is no proof of negligence against the owner of the engine."