

on the highway, yet, there being no evidence that they had any "vicious or mischievous propensity" within the meaning of *Cox v. Burbidge* (1863) 13 C.B.N.S., the accident was not the direct and natural consequence of such negligence, and, therefore, that the defendant was not liable.

LORD'S DAY OBSERVANCE ACT (29 CAR. 2 C. 7), s. 1—PURCHASER OF GOODS SOLD CONTRARY TO LORD'S DAY OBSERVANCE ACT—AIDING AND ABETTING OFFENCE.

*Fairburn v. Evans* (1916) 1 K.B. 218. This was a case stated by magistrates. The defendant had been prosecuted and convicted for aiding and abetting the commission of a breach of the Lord's Day Observance Act, 1677, by purchasing sweets from a refreshment house keeper on a Sunday knowing that the vendor, in selling the goods, was exercising his ordinary calling in contravention of the Act. A Divisional Court (Ridley and Low, JJ.) held that the defendant was properly convicted.

PRIZE COURT—ENEMY YACHT—DAYS OF GRACE

*The Germania* (1916) P. 5. This was an application for condemnation of a pleasure yacht belonging to an alien enemy which was seized in a British port on the 6th August, 1914. It was claimed that under the Hague Convention the vessel was entitled to days of grace in which to have departed; but *Evans P.P.D.*, held that the convention only applied to merchant vessels, and he ordered the vessel to be condemned and sold as a prize of war. The Crown, as a matter of grace, agreed to allow certain claims for docking and necessary repairs incurred while the vessel was under detention.

PROBATE—PRACTICE—GRANT IN IRELAND TO IRISH EXECUTOR—ENGLISH ASSETS—RESEALING IRISH GRANT—JURISDICTION TO GRANT PROBATE IN ENGLAND OF WILL PROVED IN IRELAND—(R.S.O. c. 62, s. 74).

*Irwin v. Caruth* (1916) P. 23. This was an application by residuary legatees for letters of administration with the will annexed. It appeared that the will had been proved in Ireland and probate granted to an Irish executor of the Irish property of the testator. *Horridge, J.*, held that, notwithstanding 20-21 Vict. c. 79, s. 95 (see R.S.O. c. 62, s. 74), enabling the English Court of Probate to reseal the Irish letters probate, the jurisdiction of the English Court to make the grant asked for was not affected where, as in this case, there had been no resealing.