though agreeing with the view of some of the udges there that the result of those cases is not as satisfactory as might be desired. We are not aware of any decision in our Courts on this point. *McDonald* v. *McCallum*, 11 Grant, 469, came near it, but is not an authority on the question decided in the Nova Scotia case.

While some members of this metropolitan municipality are struggling to have taxes imposed on the judges' salaries, we observe from the *Pittsburgh Legal Journal*, that, by the action of the Treasury Department, the taxes paid by the judges of State Courts in the United States on their respective salaries received from the State Treasuries, are to be refunded.

We view with envy the gold-begetting list of legal notices in "the oldest law journal in the United States," *The Legal Intelligencer*, of Philadelphia. So famous is this paper, that we understand the correct pronunciation of its name is an unfailing test of whether a man is intoxicated or not. In one of the late weekly issues we count some 170 official and semi-official advertisements — the columns of this paper being the authorised medium for publishing such information to the public. Attempts are being made by other journals to have a partition of this privilege, but they are sturdily anathematised in the "leaders" of the official favourite. It has often occurred to us that there would be more sense in official notices, &c., being published in this Journal rather than in an Official Gazette, which is read by none who can avoid it.

Many men, many minds—many judges, many judgments. In Illinois, the judges in one Supreme Court held that the maxim of independence, "all *men* are created equal," does not extend to women, and that by virtue thereof, or of anything else, they have no right of suffrage. In the same State, another Supreme Court decides that this maxim does apply to vagrant children, so that a statute providing for the rescue of such "little wanderers," and the committal of them to a reformatory school is unconstitutional, and a "tyrannical and oppressive" infringement upon the liberties of the citizen. In effect, therefore, juvenile vagrancy receives judicial sanction, and the state is powerless to protect and save destitute minors and orphans! We thought "*Salus populi suprema lex.*"

SECURITY FOR COSTS FROM FOREIGNERS WITHIN THE JURISDICTION.

SECOND PAPER.

In the English Common Law Courts the contest is between the rule laid down in *Oliva* v. *Johnson* and that in *Tambisco* v. *Pacifico*: that is, whether a foreigner must shew that he is permanently resident in the country, or whether his temporary residence is sufficient to exempt him from giving security.

Looking at the course followed in other courts in find that the Equity Exchequer pursued a practice contrary to *Oliva* v. *Johnson*. In *Willis* v. *Garbutt*, 1 Y. & J. 511 (1827), where it was shewn that the plaintiff usually resided in Canada, and that he was *about* to leave the country, yet the court refused to order security. In a case before Leach, V. C., in 1826, the application was made on an affidavit that the plaintiff and his family usually resided in Marseilles, and that he was about to quit the country: this was unanswered, and yet the motion was refused: *Anon*, 5 L. J. Ch. (O. S.) 71. In 1845 the order was granted in the case of a foreigner who was at the time actually out of the jurisdiction: *Perrot* v. *Novelli*, 9 Jur. 770. In 1853 the Courts of Equity were at conflict amongst themselves on this question. In that year the Master of the Rolls decided *Ainslie* v. *Sims*, 17 Beav. 57, where it was shewn that the plaintiff carried on business, and was usually domiciled in Scotland, and that he had taken lodgings in London, and then filed his bill. The court thought the residence within the jurisdiction was merely colourable, and ordered security. In the report in Beaven, Sir John Romilly said, "I by no means say that if a foreigner were to come here and take up his abode and hire a house for a certain period, he would be required to give security." In the report in the *Jurist*, (vol. 17 p. 757), he is reported to have said, "if a person came for a *visit* that would not be enough, but it would be otherwise, if he were to come on permanent business into the country." In the same year, Wood, V. C., refused to follow this case, and held that a foreigner temporarily resident in the country will not be required to give security. *Cambottie* v. *Inngate*, 1 W. R. 533. In the following year, Wood, V. C., again adverted to *Ainslie* v. *Sims*, and said that the Master