

M.R., and Lindley and Bowen, L.JJ.) was delivered by Lindley, L.J., holding that the Rule did not enable the plaintiff to sue the defendants as representing any other members of the respective societies of which they were officers.

PRACTICE—SPECIAL ENDORSEMENT—NON-AVERMENT OF CONDITION PRECEDENT.

In *Bradley v. Chamberlyn*, (1893) 1 Q.B. 439, it became necessary to consider the sufficiency of a special endorsement. The endorsement was as follows: "The plaintiff's claim is £210, payable to the plaintiff on demand under an agreement bearing date June 21, 1892, made by the defendant in favor of the plaintiff for value. Particulars—Oct. 13, 1892. To amount due, £210. The following is a copy of the agreement :

June 21, 1892.

To A. M. BRADLEY, Esq.

Dear Sir,—If you deliver to my husband, Mr. A. H. Chamberlyn, the three bills you hold accepted by Edwards & Chatterton, I undertake to pay the sum of £210, which he owes you for cash advanced.

Yours truly,

MAY CHAMBERLYN.

The defendant is sued in respect of her separate estate possessed by her at the time the above agreement was signed by her."

On motion for a summary judgment, Wright, J., thought the endorsement defective for not alleging the performance of the condition precedent; but Day and Collins, JJ., were both agreed that the endorsement was sufficient; and the defendant having relied before on Wright, J., on the technical objection only, they held it was too late on appeal to apply to file an affidavit of merits.

CRIMINAL LAW—MANSLAUGHTER—NEGLECT TO PROVIDE AN ADULT WITH FOOD OR MEDICAL AID.

*The Queen v. Instan*, (1893) 1 Q.B. 450, was a case stated by Day, J. The prisoner was convicted of manslaughter under the following circumstances. She lived with her aunt, and was over 33 years of age. Her aunt was about 73, and until a few weeks before her death was healthy, and able to take care of herself. She was possessed of a small income. The two women lived together in a house taken by the aunt; no one lived with, or in any way attended to, them. Shortly before her death the aunt