

C P

Jan 25

CROSSLY AND THE E & A STEAM SHIPPING COMPANY

Arbitration—Appointment of umpire by lot

A submission was made to two arbitrators who were (in the event of their not being able to agree) to appoint a third person as umpire; they could not agree and accordingly met for the purpose of appointing the umpire. Each proposed a person for the duty but only one of the two proposed was known to both the arbitrators, the other being only known to his proposer who said that he possessed the qualifications necessary for the duty. Upon this the two names were put into a hat with the understanding that the one drawn out should be appointed and the name of the one not known to both the arbitrators was drawn and he proceeded with his duties.

Held, that the appointment was valid, having been made by lot and the party so appointed not being known to both the arbitrators.

EX

FOULGER V TAYLOR ET AL

Jan 31

County Courts—Execution—Interpleader summons—Rent—Bill of sale.

Where the goods of a third party are taken in execution under County Court process on the premises of the judgment debtor and the owner claims his goods the landlord is not entitled to be satisfied arrears of rent out of the proceeds of such goods or to insist that his rent shall be paid before their removal.

EX.

WHALEY V. LIVING.

April 18.

Costs—Taxation—Arrest of judgment

If judgment is arrested, the plaintiff is entitled to the costs of issue found in his favour under the 14th sec. of the Common Law Procedure Act 1852; and the general rule is not affected by an agreement that certain items of the costs are to abide the event.

REVIEWS.

THE CHRISTIAN EXAMINER for January, published in Boston, is before us. We first meet a review of Alger's History of the Doctrine of a Future Life, in which, while congratulating the author upon the success of his labors, the reviewer enters at length into considerations the most important to mankind, and in a manner becoming the subject of which he writes. The place of 'Modern Painters in Art Literature offers a criticism' upon the writings of John Ruskin, with some observations upon vexed questions in art. The Origin of the Gospels will be read with interest by the biblical student. A paper upon Garibaldi gives a summary of his life and the recent events in the history of his country. The number closes with the usual review of current literature.

MACMILLAN'S MAGAZINE for December contains an interesting article upon the opinion of Mr Darwin regarding the Origin of Species. Very many able papers have lately appeared upon this contested question, but this article is no less interesting because of the varied treatment which its matter has received. Next follows a continuation of Tom Brown at Oxford. A well written article upon the English Evangelical Clergy; and papers upon 'Poetry, Prose, and Mr. Patmore'; English Women at Naples, &c., conclude the number.

THE ECLECTIC MAGAZINE for February is embellished with a portrait of the great Engineer Robert Stephenson, and a plate expressive of a stirring event in French history known as "The morning of the 18th Brumaire." The reading matter is as usual made up of the best articles of the British periodicals; and it is sufficient to say, that the selections from such excellent sources form a volume interesting in narrative and in subjects of a Geographical and Scientific character.

THE MONTHLY LAW REPORTER, for January, has come to hand. It contains, with the Narrative of a Celebrated Trial, Reports of the United States District Court of Massachusetts, and of the Supreme Court of that and other States. Its fine appearance and intrinsic value insures its success.

The number of the UNITED STATES INSURANCE GAZETTE for January, published at New York, affords a large and well digested mass of information regarding insurance matters of all kinds, and is thus worthy of an extended support.

THE ANNUAL REPORT OF THE NORMAL MODEL GRAMMAR AND COMMON SCHOOLS, for the year 1879, is received. The various reports do not form so large a volume as in the preceding year, because of the omission of those of the Local Superintendents of Schools. The statistical tables are in a convenient form, and afford every information relating to the subject.

THE LOWER CANADA REPORTS. Edited by M. Le Lievre; published by Augustin Côté, Quebec.

Number twelve of volume ten of these valuable Reports is received. Besides the ordinary number of reported cases, this number contains the annual index of cases and digest of matters reported. One of the cases reported (*Hynes v. McFarlane*) we shall probably give in our next number. It decides that a party setting fire upon his land at an improper time is by that mere fact responsible for the loss thereby of a threshing machine which had been brought on his land for the purpose of threshing his grain. The action was differently decided in the Superior Court in the District of Ottawa, but on appeal it was reversed, Duval Justice dissenting.

GODEY'S LADY'S BOOK. Louis A. Godey, Philadelphia.

The number for February is received. The Lady's Book is useful and entertaining as usual. It has taken the lead of all other magazines of a similar description, and is determined to keep it. So far as we can discern any change in successive numbers of Godey, it is for the better. The proprietor is bent on proving himself worthy of the great and wide-spread patronage which his magazine receives. He exchanges with no less than 2,460 cotemporary publications. What therefore must be the circulation among subscribers of his well known and much admired magazine? We have heard it said that the circulation is 300,000, and have no reason to doubt the statement. It is by reason of this enormous circulation that the magazine is furnished to each subscriber at the low price of \$3 per annum, though intrinsically worth more than double that amount.

MACMILLAN'S MAGAZINE for January has reached us. We first find three entertaining chapters, forming the commencement of a story, entitled, "Ravenhoe," by Henry Kingsley. A letter upon Sheridan and his biographers, by the Hon Mrs. Norton, will be read with pleasure. The author of "John Halifax, Gentleman," offers "A few words about Sorrow," and a poem upon "Fergus Seat." Tom Brown at Oxford has a few more interesting chapters; and papers upon Venetia and Peking are particularly welcome at the present moment.

APPOINTMENTS TO OFFICE, &C.

PROVINCIAL ARBITRATORS AS TO PUBLIC WORKS

THOMAS KIRKPATRICK, of Kingston Esquire LOUIS A. MORFAU, of Montreal, Esquire, and the Honorable PHILIP VANKOUI GHINET of Cornwall, to be Arbitrators and Appraisers for the Province of Canada, under the provisions of s. 47 of the said Stat. of Canada, cap. 28.—(Gazetted 5th January, 1861.)

TO CORRESPONDENTS.

"A SUBSCRIBER, AJY"—Too late for current number
"WILLIAM COLSEY" will receive attention in our next