vs. Chapel. The court says that the theory upon which chattel mortgages of crops to be grown are supported is that they are property having a potential existence, and that the mortgagor being in possession of the land upon which they are to be grown has a present vested right to have the crops when they come into actual existence.

COMMON CARRIER—RESPONSIBILITY FOR DELAY BY STRIKES.—Where delay in delivering freight is caused, not by the refusal of the striking employees of a railroad company to return to work, but by the unlawful and violent conduct of the strikers after having abandoned the service of the company, the latter is not liable, according to the decision of the New York Court of Appeals in the case of Geismer vs. Lake Shore & Michigan Southern Railroad Company, reported in the *Albany Law Journal*. The court said: It is true that these men (the strikers) have been in the employment of the defendant. But they left and abandoned that employment. They ceased to be in its service or in any sense its agents for whose conduct it was responsible They not only refused to obey its orders or to render it any service, but they wilfully array themselves in positive hostility against it, and intimidated and defeated the efforts of employees who were willing to serve it. They became a mob of vicious law-breakers, to be dealt with by the government, whose duty it was, by the use of adequate force, to restore order, enforce proper respect for private property and private rights and obedience to law. If they had burned down bridges, torn up tracks, or gone into passenger cars and assaulted passengers, upon what principle could it be held that as to such acts they were the employees of the defendant for whom it was responsible? If they had sued the defendant for wages for the eleven days when they were thus engaged in blocking its business, no one will claim that they could have recovered.

LIBEL—PRIVILEGED COMMUNICATION—INJUNCTION.—An important decision involving the doctrine of privileged communications in the law of libel was rendered lately by the Queen's Bench Division of the High Court of Justice (England), upon the application of Sir W. Armstrong & Company for an injunction to restrain the *Admiralty and Horse Guards Gazette* from publishing certain alleged defamatory matter regarding the dealings of that company with the government in relation to certain ordnance contracts. The court, through Lord Chief Justice Coleridge, dismissed the application for an injunction, holding that the publication was a privileged communication, and that the burden of proving malice rested on the plaintiff, who had his remedy by suit. Lord Coleridge said: This is, no doubt, an extremely important application on the part of Sir William Armstrong & Company to restrain the publication of libelous matter in the defendant's newspaper, such defamatory matter being, in substance, that members of that company, either now or just recently, have been interested in the Ordnance Committee, and have by their position in the government, and by their connection with the War Office departments, influenced the determination of a select committee with regard to the purchase of ordnance from the plaintiff company. I may observe that the contracts for ordnance are admitted to have been of an enormous character, and no suggestions as to the largeness and importance of those contracts has been in the least overstated. These contracts may be said to be about the most important element in the defences of the country which exists as they relate to the ordnance, and particularly the naval ordnance, of the country; and therefore this is a matter, if there be any in the world, of public interest. If anything like that stated in the alleged libel be true, the person who exposes such a system and such a mischief does a great public service, and I cannot be a moment hesitate in saying that the subject-matter which constitutes the writing about it is a privileged communication. It is to the interest of the whole country that the selection of our chief weapon of defence should be made by indifferent and disinterested persons. The defendants say that the selection was not so made. Of course, the right and privilege of comment ought not to be used as any cloak whatever for private malice, and if it should turn out at the trial of the action that these allegations publicly made were made unjustifiably upon honorable and independant men, and that the articles, so far from being written in the public interest of some rival contractor for the purpose of bringing discredit upon a body of honorable gentlemen, then, so far from the man writing them having done something for the public service which deserves reward, he deserves being mulcted, as a jury would undoubtedly mulct him, of the heaviest possible damages which he might reasonably be expected able to pay. Anything more wicked than the libel if not true it would be difficult to conceive, because it is calculated to excite terror in the country, and to do a great deal of mischief both public and private. Whether it was written with a view to the public service or from private malice, I, sitting here, who, of course, have no means of knowing, give no opinion; but it is quite plain that the subject and the occasion being privileged—and whatever doubts have recently been thrown on the law of libel on this point I do not share—it is quite clear that the onus of proving malice rests on the plaintiff, and once it is granted that the occasion is privileged, the onus is on the plaintiff to show that the privilege has been exceeded, and that it was made a cloak for private malice. This is the reason why I think we ought to refuse to interfere in this case.—*Bradstreet's.*

Wheat as a staple article of consumption and commerce has been subject to wonderful variations in market value during the past sixty years. Beginning in 1825, a period of low prices, when wheat sold at 75 cents in New York, there was a rise for four years to the first maximum of $1.75 in 1829. Then came a fall of only seven months to $1.00, late in the same year, and afterwards a rise to the second maximum, $2.12 in 1836. From that point the decline continued until 1846, when the price was only 80 cents, but in the very next year it advanced to $2.95. The next decline culminated in 1851 to 93 cents, but from that point there was an advance in four years to $2.80 in 1855. The price then declined not lower than $1.20 in 1858, but afterwards rose to $3.45 in 1866. A decline followed to $1.50 in 1870, and another advance to $2.25 in 1873. The price then declined to 84c in 1876, but advanced to $1.85 in 1877, and again declined to 83c in 1878 Another advance to $1.69 in 1880 was followed by a decline to about 80c in 1884, and prices still lower have been recorded already this year. —*Milling World.*