

of the rising or setting of the sun or moon on any particular day a number of years, or perhaps a few months, ago. To ascertain an individual who happened to observe and note it, would be like hunting for a needle in a haystack. If the English judges are determined to wait until the church shall recognize the fact that science has predicted these occurrences for many years in the past, and shall conform her prayer book accordingly, they are welcome to do so, but for us a Poor Richard's Almanac is much better practical evidence on such subjects than the prayer book. The church has always been slow to accept the demonstrations of science; witness the cases of Galileo and Columbus. Perhaps the English judges may regard a scientific discovery several centuries old as "recent," but it seems old enough for acceptance by courts of justice without waiting for the bishops. A knowledge of the times of the rising and setting of the sun and moon may be of no consequence to the church, but it frequently is important in worldly affairs, and laymen will take the most convenient and certain means of acquiring it.—*Albany Law Journal*.

RECENT ENGLISH DECISIONS.

Maritime law—Conflict of law—Collision on high seas between vessels of different nationalities.—Collisions between ships when one or both are foreign, on the high seas, are questions *communis juris*, and liabilities created by them are to be decided by the general maritime law of liability as administered in the court where the cause is tried. By general maritime law the liabilities of the ship and of the owners are identical for damages arising from collision. A collision took place on the high seas between a British and a Spanish ship; both vessels sank. The English owners commenced a suit against the Spanish shipowners, who had an office in England. The Spanish shipowners appeared, and pleaded that by Spanish law there was no personal liability. *Held*, a bad defence, as the liability was governed by general maritime law, and not by Spanish law. The *Druid*, 1 W. Rob., at p. 399; *The Volant*, id. 387; *The Johann Friederich*, id. 35, at p. 40; *The Wild Ranger*, 7 L. T. Rep. (N. S.) 725 S. C., Lush, 553; *The Zollverein*, (Swabey, 99. Prob. D. & Ad. Div., May 11, 1881. *The Leon*.

Opinion by Sir R. Phillimore, 44 L. T. Rep. (N. S.) 613.

Patent—Infringement of—Transfer of patented article made abroad through Custom House for exportation not vending, making or using—Agency.—The plaintiffs were holders of a patent for rendering capable of safe transportation a powerful explosive, which had previously been practically useless, and its transportation prohibited by statute, by reason of its extreme sensitiveness to shocks. The defendants, who were export merchants, had transhipped in the Thames, for exportation to Australia, large quantities of the explosive, which had been consigned to them from abroad for that purpose, and had been rendered safe in the mode prescribed by the plaintiff's invention. *Held* (reversing the decision of Bacon, V. C.), that there had been no interference by the defendants with the plaintiff's invention. The defendants never had any interest in, or any control over, the goods; and it could not be said that writing to the Custom House, in order to get power to transfer them from one ship to another, was making, or using, or vending the patented article. The court always hold a hand over agents, but they must be actual agents directly employed in the transaction in question, and it would not extend its doctrine, and say that any person who had anything to do with the removal of goods from a manufactory to a storehouse would be liable to damages or an injunction, if it turned out that the goods were an infringement of a patent or trademark. Ct. of Appeal, April 29, 1881. *Nobels' Explosive Co. v. Jones, Scott & Co.* Opinions by James, Baggallay and Lush, L. J.J., 44 L. T. Rep. (N. S.) 593.

GENERAL NOTES.

We have received Nos. 2 and 3 of "The Kentucky Law Journal" (for August and September, 1881), conducted by Mr. George Baber, and published at Louisville. In an article on "Legal Humbugs," we find the following:—"A day rarely passes which does not mark the receipt of a circular informing the person addressed, that he, of all living men, has been selected as a member of the most popular and thorough legal association in the world—one whose members are seen amid the burning sands of Sahara, the delightful isle of Terra Del Fuego, or the classic fields of Patagonia. So it is; only one dollar is asked for the privilege of allowing a member of the noblest profession on earth to "nose" among the affairs of his neighbor and report his finan-