2. A trader conveyed all his property to secure the payment of a debt of £450, and a further advance of £300. Seventeen months afterwards he became bankrupt. *Held*, that the conveyance was not fraudulent under the 13 Eliz cap. 5, nor impeachable under the Bankrupt laws.—*Allen* v. *Bonnett*, L. R. 5 Ch. 577.

MASTER AND SERVANT.—H. was foreman, porter and superintendent of the defendants' station yard; he gave the plaintiff into custody on a charge of stealing the company's timber; the plaintiff was brought before a magistrate and discharged; he was then in the employ of the defendants, but was soon after discharged. *Held*, that H. had no implied authority to give a person into custody, and there was no evidence of a ratification of his act by the defendants.—*Edwards* v. *London and North Western Railway Co.*, L. R. 5 C. P. 445.

NEGLIGENCE.—1. The plaintiff was passing along the highway under a railway bridge of the defendants, when a brick fell and injured him. A train had passed just previously. The brick fell from the top of a perpendicular brick wall, upon which the bridge rested on one side *Held*, that this was *prima facie* evidence of negligence on the part of the defendants. (Hannen, J., dissenting)—*Kearney* v. *London, Brighton & South Coast Railway Co.*, L. R. 5 Q. B. 411.

2. The defendant was part owner of a steamer, which ran from M. to L. Passengers went on board a hulk in the harbour at M., where they obtained their tickets, and upon the steamer's coming up, descended by a ladder to the main-deck, from which they got on board the steamer. The hulk did not belong to the owners of the steamer, but was used by them by agreement with the owner, for the purpose of embarking passengers. The plaintiff, in descending the ladder, fell down a hatchway, close to its foot, which had been negligently left open. *Held*, that the defendant was liable, on the ground that the defendant had held this out as a place for passengers to embark, and also on the ground that there was a contract to use due care for the plaintiff's safety during the journey from M. to L.—*John* v. *Bacon*, L. R. 5 C. P. 437.

3. A train of the defendants' drew up at a station so that the last carriage, in which B. was a passenger, was in a tunnel which terminates at the station, and not at the platform. The name of the station was called out by a porter, and B. immediately got out, though it was dark, and fell on the rails. *Held*, that there was no evidence of negligence on the part of the defendants.—*Bridges* v. *North London Railway Co.*, L. R. 5 C. P. 495, n. (5).

4. A train on the defendants' railway drew up at a station so that the carriage in which the plaintiff was a passenger was opposite to the platform at a part where it curved back, leaving an interval of two feet between the carriage and the platform. The name of the station had been called, and the plaintiff stepped out and fell between the carriage and the platform. *Held*, that the conduct of the plaintiff amounted to contributory negligence, and that a non-suit should be entered.—*Prayer* v. *Bristol and Exeter Railway Co.*, L. R. 5 C. P. 460, n. (1).

5. A train of the defendants', in which the plaintiff was riding, overshot the platform, so that the carriage in which he was sitting was opposite to the parapet of a bridge beyond the platform, the top of which in the dusk looked like the platform; the porter called out the name of the station, and the plaintiff, having got out upon the parapet in the belief that it was the platform, fell over and was injured. *Held*, that there was evidence of an invitation to alight at a dangerous place, and evidence of negligence of the engine-driver, in not stopping at the platform.—*Whittaker* v. *Manchester and Sheffield Railway Co.*, L. R. 5 C. P. 464, n. (3).

TESTAMENTARY CAPACITY.—A testator was subject to two delusions, one that a man, who had been dead for some years, pursued and molested him, and the other that he was pursued by evil spirits, whom he believed to be visibly present. It was admitted that at times he was so insane as to be incapable of making a will. *Held*, that the existence of a delusion compatible with the retention of the general powers and faculties of the mind, will not be sufficient to overthrow the will, unless it were such as was calculated to influence the testator in making it.—*Banks* v. *Goodfellow*, L. R. 5 Q. B. 549.

RAILWAY CO.—RIGHT TO MAINTAIN EJECTMENT AGAINST—DESRIPTION OF LAND.—The defendants in 1851 staked out their railway across the land in question, and in 1853 deposited their plan in the office of the clerk of the peace, and laid the rails and built their station on the land, which was then vested in the Crown; but this was without the consent of Her Majesty, under C. S. C. ch. 66, sec. 11, sub-sec. 31, and they had taken no other proceedings to obtain a right to the possession. In 1854 the Commissioners of Public Works, under 13 & 14 Vic. ch. 13, conveyed the land to the plaintiffs by deed, in which the railway was referred to as a proposed line, and for fourteen years after defendants continued thus to use the land with the knowledge of and without any interference by the plaintiffs: *Held*,