

## The Legal News.

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### DISCHARGE OF JURY.

In 2 Russell, p. 64, there is a note by the learned editor, Mr. Greaves, from which we take what follows:—"In *Reg. v. Charlesworth*, 1 B. & S. 460, it was held that where, in a case of misdemeanor, the jury are improperly, and against the will of the defendant, discharged by the judge, this is not equivalent to an acquittal. It may, therefore, be taken that an improper discharge of a jury in a case of misdemeanor, is no bar to another trial, and it has always been my clear opinion that such a discharge is no bar to another trial in any criminal case whatever."

It will be remarked, therefore, that the opinion of Mr. Greaves, which on a criminal question of this kind stands as high as a judicial decision, is confirmatory of the ruling of our Court of Queen's Bench in the case of Jones, (p. 309).

### ESTATES OF DECEASED SEAMEN.

The *Canada Gazette* contains the following Declaration between Great Britain and Russia relative to the disposal of the estates of deceased seamen of the two nations, signed at London, August 9, 1880.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the Emperor of all the Russias, having judged it expedient to make arrangements for the disposal of the estates of seamen, being subjects of the one State, who shall die on board a ship or on the territory of the other State, have agreed as follows:—

#### ARTICLE I.

The estate of any Russian or Finnish seaman who shall die, either on board a British ship or at any place within British territory, shall, if not exceeding fifty pounds sterling (50*l.*) in value, be delivered to the Russian Consul-General in London without being subject to

any of the formalities usually required by English law on succession to property.

On the other hand, the estate of any British seaman who shall die, either on board a Russian or Finnish ship, or within Russian territory, if not exceeding three hundred and fifty silver roubles (350 roubles) shall be delivered to the nearest British Consul without undergoing any of the forms usually required by Russian or Finnish law on succession to property.

#### ARTICLE II.

If the deceased, a Russian subject, shall have served in the Royal Navy of Great Britain, any assets which may be payable by the British Admiralty shall be dealt with according to the law of Great Britain.

On the other hand, if the deceased, a British subject, shall have served in the Imperial Navy of Russia, any assets which may be payable by the Russian authorities shall be dealt with according to Russian law.

#### ARTICLE III.

The term "seaman" in this Declaration includes every person (except masters and pilots) employed or engaged in any capacity on board any merchant ship, or who has been so employed or engaged within six months before his death, and every person, not being a commissioned, warrant, or subordinate officer, or assistant engineer, borne on the books of, or forming part of the complement of, any public ship of war.

The term "estate" includes all "property, wages due, money, and other effects" left by a deceased seaman on board a ship.

The term "Consul" includes Consul-General, Consul, Vice-Consul, and every person for the time being discharging the duties of Consul-General, Consul, or Vice-Consul.

#### ARTICLE IV.

The present Declaration shall be concluded for a term of three years, to date from the day of its signature. At the expiration of this term and of each successive term of three years it shall be continued for a further term of three years, unless one of the High Contracting Parties shall give notice for its termination one year before the expiration of any such term of three years.

In witness whereof, the undersigned, duly authorized to that effect, have signed the pre-