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DECISIONS IN COMMERCIAL LAW.

PETRIE V MACHAN.—The defendant instructed plaintiff by contract in writing, to sell a certain sawmill in terms, as follows: "Please enter in your descriptive catalogue of machinery for sale, the . . . to net me \$1,000. I hereby authorize you to sell" (setting out terms). "I retain to myself the right of selling, or of exchanging, or of otherwise disposing of said goods in whole or in part, without your assistance, but agree in such case to pay you 10 per cent. commission on the above amount . . . same commission to apply in case of withdrawal of offer." The defendant afterwards gave the machinery to a brother who sold it for \$350. Held, reversing the judgment of Division Court in the High Court of Justice, Ontario, that the plaintiff was entitled to \$100 commission, and that his claim was within the jurisdiction of the Division Court.

KIMBERLEY WATERWORKS CO. V. DE BEERS CONSOLIDATED MINES.—The defendants made an agreement to purchase all the water required for their mines from the plaintiff's company, subject to this proviso expressed in the contract "provided that nothing herein contained shall prevent (the defendant company), from using any water obtained by it from the mines or its wells or reservoirs." A municipal corporation gave the defendants a supply of water gratis. The Judicial Committee of the Privy Council held, that this amounted to a breach of the agreement, and was not within the above proviso.

QUEBEC BOARD OF HEALTH.

Good work, and necessary work, is being done by the Board of Health, of the Province of Quebec, in the collection of vital statistics, and in the registration of the prevalence of certain diseases, such as zymotic. About four years ago, says the *Montreal Medical Journal*, the president of the board undertook that such statistics should be compiled at no expense to the Province beyond a few hundred dollars to pay the statistician. So in default of any official registrars he interested the bishops, who secured the services of the parish priests in registering not only births and marriages, but deaths and the causes of death. These last are, however, but imperfectly recorded in the rural districts. For example, in the County of Charlevoix, out of 406 deaths recorded last year, 228 were from "unknown or unspecified diseases." Dr E. P. Lachapelle, the president, has reorganized the board, and developed not only chemical but bacteriological departments. Many hundreds of samples of dry blood-drops have been sent into Quebec or Montreal to be examined by Dr. Wyatt Johnston's method of dry blood-drop diagnosis of typhoid fever. The use of disinfectants has also been inculcated. Excellent work in these directions has been done during 1896 and 1897 at a total cost of only \$10,500. An interesting table shows that Quebec Province had a birth rate in 1895 and 1896 of 39.3 per 1,000 and 38.5 per 1,000, and a death rate of 20.4 and 18.5, making the surplus of births over deaths between 19 and 20 per 1,000—a larger surplus by nearly one-half than France, Germany, Austria, Italy or the British Islands. "The French of Quebec," says the *Journal*, "are increasing in numbers at the rate of 22 per 1,000; the French, in France, are dwindling at the rate of 0.4 per 1,000. At this rate, it is questionable whether Quebec will not have to return the compliment [of the seventeenth century] and prepare to repopulate L'ancienne France."

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