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The case of *Sweeney* v. *Bank of Montreal* adds another to the list of cases in which the final judgment of the Supreme Court has only a minority of judges to support it. The original judgment, rendered by Mr. Justice Rainville in the Superior Court, dismissed the action (5 Leg. News, 66). That decision, after two hearings, was unanimously affirmed in appeal by the Court of Queen's Bench constituted with five judges (Dorion, C. J., Monk, Baby, Doherty, Caron, JJ.) Finally in the Supreme Court the judgment has been reversed, Strong, J., dissenting. So the smaller number prevail over the seven judges who ruled the other way. It may be added that the result has been to some extent a surprise to the profession, for although this case has attracted considerable attention from the bar during its progress through the Courts, we are not aware that any one not personally concerned in it anticipated the conclusion now arrived at by the majority of the Supreme Court.

The slave-making and slave-driving instinct is very strong in some natures, regardless of justice and humanity, and its developments, unfortunately, are more repulsive than rare. In *Larson* v. *Berquist*, before the Kansas Supreme Court, Nov. 7 (8 Pac. Rep. 407), a parent sued to recover damages for the wilful negligence and misconduct of the defendants toward his infant daughter while in their service. The plaintiff alleged that the daughter was an inexperienced girl of tender years, who was employed by the defendants as a house servant to do such work as was suitable to her years and strength, and that during her employment her menses began, causing her great pain and sickness, and that after gaining her confidence the defendants took advantage of her weakness, youth and inexperience, and in order that she might continue in their service, and perform a great and unusual amount of labor for them, they negligently, wilfully and wickedly advised her that menstruation was a dangerous disease, likely to cause insanity and death, and that the best and only known remedy therefor was hard and unremitting labor, and that by reason of this advice and the influence exerted upon her by the defendants, she was exposed to danger and hardship, and made to do work for them far beyond her strength, and compelled to perform the labor of two persons, by reason of which she became very sick, and was permanently crippled and disabled, and that ever since that time her father has been not only deprived of her assistance and service, but has been compelled to expend for her care and medical attendance a large sum of money. The defendants demurred, contending that the girl was under no obligation to perform labor beyond her strength, and might have declined the service exacted. The Court said this would be true if the person injured had been an adult of ordinary prudence and discretion, but in the case of a child of tender years a different rule applies. So the demurrer was held bad.

In referring to the veterans of the bench last week we might have added a reference to the retirement of Chief Justice Daly, of the New York Common Pleas, after a judicial service of forty-one years. The last case he heard was argued by an ex-judge who argued his first case before him in 1853. Judge Daly, like the ex-Chief Justice of our Superior Court, retires with the good wishes and respect of everybody, and with a well-earned reputation for learning and integrity.

The "Laws of Intestacy in the Dominion of Canada" is the subject of a learned treatise by Mr. Armstrong, Q.C., C.M.G., late Chief Justice of St. Lucia. The author has examined with care the law existing in the several provinces, and notes the decisions bearing upon points of difficulty. He regrets the lack of uniformity in the disposition of intestate property, and suggests that this might be remedied, if the Provinces did not thereby waive the right to legislate under sect. 94 of the B.N.A. Act. The pamphlet embodies the result of much independent investigation, and should be in the hands of every lawyer.