

The Legal News.

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The appointment of Mr. Charles Chamilly De Lorimier, Q.C., to the bench of the Superior Court, in the place of the late Mr. Justice Globensky, which was semi-officially announced several months ago, appears, after a long delay, in the *Canada Gazette* of April 27, the appointment bearing date April 15.

The increase of judicial salaries has once more been deferred, the bill being left in suspense until the closing days of the Session, and then, so far as the proposed increase was concerned, dropped. It is difficult to understand the delay which has attended this measure. Lord Dufferin urgently recommended it eleven years ago, in one of his farewell addresses to the people of Canada (1 Leg. News, 469). "Pure and righteous justice," his excellency said, "is the very foundation of human happiness, but remember it is as true of justice as of anything else—you cannot have a first-rate article without paying for it." Three years later it was understood that a bill would be introduced for the purpose (4 Leg. News, 161), but the Session terminated without anything being done. In 1888, the first step was taken (11 Leg. News, 113), but the bill was not pressed. This year again, a bill was introduced, but the same fate has attended it. It is proper, of course, that a measure of this kind should be proceeded with deliberately. The judiciary should not be in the position of corporation officials, clamoring for an increase every year, and due regard must be had to the present and prospective condition of the country. But there is such a thing as being too deliberate.

The American Association for the Advancement of Science holds its next annual meeting in Toronto, on the 27th of August. Two of the annual gatherings of this body have been convened at Montreal, but this will be the first meeting held in Ontario. The session of the Association which numbers over 1500 members, will extend over a week.

The learned Dean of the Arts faculty of McGill may be pardoned if, in reviewing the events of the year at the annual convocation, he referred with some warmth to the B. A. controversy. Prof. Johnson has been for over thirty years engaged in the work of education. Mr. Pagnuelo, during nearly the same period, has been engaged in the controversies of the Courts. Some consideration must be had by each to the experience of the other. For the encouragement of the learned professor, however, we would take leave to tell a little story. In the Afghan war, a British column was advancing on a narrow pathway through a gorge. Suddenly a camel sat down and completely blocked the advance of the troops. After vainly attempting to move the beast, some one cried, "Light a fire against him." Others protested against the inhumanity of the proposal. At last, a fire was lighted, but the animal did not stir, which, according to the humanitarians, showed that he did not move because he could not. So pioneers were sent for, and after a great deal of trouble a road was made round him, when, just as it was completed, the camel got up quietly, without having been touched, and took up his position in the march. The universities, as they look at the matter, have been laboriously constructing a road round the camel. Perhaps the camel will now see fit to move on.

SUPREME COURT OF CANADA.

OTTAWA, March 18, 1889.

Ontario.]

GRAND TRUNK RAILWAY CO. v. McMILLAN.

Railway Company—Carriage of goods—Bill of Lading—Carriage over several lines—Negligence—Exemption from liability for—R. S. C. c. 109, s. 104—Construction of—Joint tortfeasors—Action against—Bar to—Discharge by one.

M. shipped certain goods by the G. T. R. from Toronto to Portage La Prairie, and the bill of lading contained the following conditions:—

"10. All goods addressed to the consignees at points beyond the places at which the company has stations, and respecting which no directions to the contrary shall have