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THE EXAMINATION OF DIRECTORS.

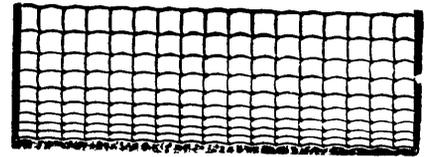
The House of Lords has, by a decision which was delivered a few days ago, added one more to the list of particulars in respect of which our company laws require amendment. And the latest defect discovered is not the least important. It has now been finally decided that an official receiver cannot obtain an order for the attendance of directors at a public examination, unless he is prepared to say that he believes them, or some of them, to have committed fraud. There is in such an accusation far too great a personal responsibility for us to hope that official receivers, except upon the very clearest and most conclusive evidence, would ever exercise the limited power that is vested in them. Hence the provision in the Act with regard to the examination of directors of insolvent companies becomes practically a dead letter. The Receiver-General in Bankruptcy, discussing the matter upon the judgment of Justice Vaughan Williams, said that this interpretation of the law, though taking the only view possible, makes it practically of none effect. What is wanted, in his opinion, is that official receivers should be able to obtain the public examination of directors by stating that in their opinion this is in any particular case desirable, and showing the court why they think so. Something of this kind should be ample, but now that we find the law says it is not so, the law must be amended to bring it into line with the requirements of the community.

UNPLEASANT FACTS NOT TO BE RAKED UP.

A French physician, Dr. Aubry, of Brest, is a criminologist, and the author of two works, entitled, respectively, "The Contagion of Crime" and "A Family of Criminals." In these he instanced a family, whose name he gave, the members of which had incurred a number of convictions for various offences during a period of something like seventy years past. He added that one of the female members of the family had led a dissolute life in Paris, and that, after living upon the debauchery of others, she had retired on a handsome competence. The woman, being still alive, brought an action for libel against the doctor. It does not seem to have been denied that the facts were as stated in the books, but the court held that the author was not justified in raking them up. At the same time, as it was held that he had no intention to annoy, but had been actuated solely by scientific considerations, the judge has let him off on paying his own costs.

—A case of more than ordinary interest to vendors of drugs and medicines has just been heard in the Montreal Court House. It is that of Dr. England against the wholesale drug firm of Kerry, Watson & Co. for \$20,000 damages in consequence of the death of his wife from poisoning, which he claimed was caused by tartar emetic sold to Henry J. Dart & Co., by defendant firm, instead of bismuth, owing to neglect or carelessness, and want of skill on the part of the defendants. Ten questions were given to the jury, and their answers to these resulted in \$1,000 damages in favor of plaintiff. This verdict was based upon the extent of the loss a young child suffers in consequence of the death of its mother. It is said that the decision will be contested in the Court of Review.

—Probably, says the *Railway Review*, the first attempt to make practical use of the great energy of the tides is now being made on the Pacific coast at Santa Cruz. A dynamo to cost about \$20,000 is being placed in position. It will be worked by a head of water raised by the tide, and the electrical energy thus obtained will be employed in lighting the town and driving the street cars.



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