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DECISIONS IN COMMERCIAL LAW.

ANDREWS V. MOCKFORD.—Where the object with which the prospectus of a company is issued is not merely to induce application for an allotment of shares, but also to induce persons to whom it is sent to purchase shares in the market, its function is not exhausted when the company has gone to allotment, and the person issuing the prospectus is responsible for the consequences of a false representation contained in it, and known to him at the time to be false, to any person to whom the prospectus has been sent, who is induced by the false representation to purchase shares, and thereby sustains a loss. When a person who has issued the prospectus of a company containing a false representation, known to him at the time to be false, subsequently causes to be published a false representation to the same effect as that of the prospectus, with the direct intent of inducing persons to purchase shares in the company, he is responsible for the consequences of so doing to anyone who, having received a prospectus, purchases shares on the faith of the false representation, and thereby sustains a loss. This is a decision of the English Court of Appeal.

HARDAKER V. IDLE DISTRICT COUNCIL.—A district council being about to construct a sewer under their statutory power, employed a contractor to construct it for them. In consequence of his negligence in carrying out the work a gas main was broken and the gas from it escaped into a house in which the plaintiffs (a husband and wife) resided, and an explosion took place, by which the wife was injured and the husband's furniture was damaged. In an action by the plaintiffs against the district council and the contractor, the Court of Appeal in England held that the district council owed a duty to the public (including the plaintiffs) so to construct the sewer as not to injure the gas main; that they had been guilty of a breach of this duty; that, notwithstanding that they had delegated the performance of this duty to a contractor, they were responsible to the plaintiffs for the breach; and that the damages were not too remote to be recovered.

THE LAW OF LIBEL.

W. B. Odgers, Q.C., the well known English counsel, has published a work entitled, "An Outline of the Law of Libel," in which the condition of the law is pretty fully stated. One rule of law, stated by Dr. Odgers, seems to us to require looking into. It is this: "Every judicial proceeding may properly be made the subject of comment [by the press]; but only *when the trial is over*, not before. No observations are permitted during its progress. . . . Any comment pending action is contempt of court." We cannot but consider that such a rule hampers the freedom of the press, and may hinder the detection of rascality. Suppose an unscrupulous but cunning promoter launches a scheme for robbing the public. Any newspaper which comments adversely on this scheme may be at once proceeded against for libel. Further comment after this has been done is contempt of court, and writs may issue against any papers which warn the public, and so the press may be muzzled until the promoter has brought his rascally plans to maturity. This done, he may and probably will, abandon the law suit, for he has meanwhile feathered his nest.

"Where did you learn French?" asked the Parisian. "From a native," proudly replied the tourist. "Ah! a native of what?"—*Philadelphia North American*.

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