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HON. MR. JUSTICE LONGLEY.

None of His Majesty's judges have been so much in the public eye, for the past three months, as Mr. Justice Longley of the Supreme Court of Nova Scotia. This arises from the fact that the action of the Dominion Steel Company and the National Trust Company against the Dominion Coal Company was tried before him at Sydney; and his judgment was watched with keen interest.

This action so far as the number of persons pecuniarly interested effects the question, and the amount of money involved, is one of the greatest actions ever tried in any English speaking country. The existence of both the Steel and the Coal Companies was said to depend upon the result. This is probably an exaggeration, but it indicates the magnitude of the interests that depended upon the judge's decision. The Coal Company in bonds and stocks represents $23,000,000, and the Steel Company, $35,000,000. These stocks and bonds are held in every part of Canada and the owners watched the proceedings closely. The Coal Company employs about 7,000 men, the Steel Company about 5,000. The question at issue finally resolved itself into a very narrow one, whether, under a contract for the supply of coal to the Steel Company for making steel, the latter had the right to name the seam from which the coal was to come, and named the Phalen seam—could the Coal Company supply coal from one part of that seam unfit for use in steel making, when it was mining and could supply from other pits on that seam coal that was fit. In other words was coal from the Phalen seam a specific description under the rule in *Chanter* v. *Hopkins*, 4 M. & W. 399, or was the Coal Company bound under the contract to supply coal fit for the purpose of steel making.

Reviewing the whole contract the judge held that it was a