

## EDITORIAL ITEMS.

The better opinion seems to be that his over-worked system could not stand the sudden strain upon it occasioned by the unexpected death of his wife.

The Chief Justice of England in trying an action arising out of an injury sustained in a railway accident, remarked upon a defect in the law as to assessing damages in such a case. The damages he said should not be assessed absolutely, finally and at once. There should be a conditional assessment, i.e., a certain sum to be paid at once and a certain further sum to be paid in the event of non-recovery within a given time. He suggested also that the law might make some equivalent provision, such as the payment of an annuity during the continuance of the disability. The hint is worth being acted upon in this country, and we doubt not that the solicitors of the railway companies will be astute enough to profit by it.

In a case before the Supreme Court of Pennsylvania, an action was brought by a person to recover damages for the loss of his eye. The injury had been occasioned through the quarrel of a couple of drunken men, passengers in the same car with him. The Court held that the Company was liable, on the ground that it was the clear duty of its employes to repress all disorderly conduct in the cars: *Central Law Journal*, Jan. 29, 1875, p. 99, *Pittsburgh Railroad v. Pillow* (in Error.)

The *Central Law Journal* observes that a novel question has been submitted to the Secretary of War of the United States, touching the law of Government contracts. Competition by tender was invited under the Statutes for the improvement of the Sault Ste. Marie Canal. There were twenty-seven "American" bids and one Canadian—the latter being

the lowest of all. The lowest "American" bidder has raised the point whether the term lowest bidder, used in the Act, includes foreign bidders, so that they can obtain Government work to the exclusion of American citizens. The matter has not yet been determined,—but we can hardly imagine that the fellow-countryman of the Secretary of War will not get the benefit of any doubt there may be on the question.

Mr. Field, Q. C., who has been appointed by the Lord Chancellor to be a Judge in the Queen's Bench—Mr. Justice Archibald, by arrangement, going into the Common Pleas to occupy the seat vacated by Mr. Justice Keating—was called to the Bar in 1850, and in 1864 was made a Queen's Counsel. For many years he has enjoyed a large practice, and bears the reputation of being an able lawyer. He was the leader of the Midland Circuit and is held in high esteem by the members of it. The appointment is non-political. It is supposed that he will go the Northern Circuit in place of Baron Amphlett, who, in that event, will be Lord Coleridge's colleague on the Midland Circuit.

The Attorneys of the Guicowar of Baroda write to the *London Times*, stating that Mr. Serjeant Ballantine has been paid a retaining fee of 5,000 guineas to defend that gentleman, and that the learned Serjeant will probably be paid 5,000 guineas more. It is supposed that the Serjeant will be absent from England about three months. If this be correct, says the *Solicitors' Journal*, the *honorarium* is probably among the largest ever paid to counsel, and it furnishes a curious commentary on the superstition which, as Mr. Forsyth tells us ("Hortensius," p. 410) has prevailed in every country where advocacy has been known, of looking upon the exertions of the ad-