

"Attendu que des faits et documents de la cause, il résulte et que d'ailleurs il n'est pas contesté par V... 1o. que la femme M... cuisinière, recevait journallement de ses maîtres les fonds nécessaires à l'alimentation de leur maison; 2o. que la dite cuisinière avait pour mandat exprès de n'acheter qu'au comptant; 3o. que, depuis le 1er juin 1881, date de la prise de possession de son fonds de marchand boucher, V... n'a jamais été en relations à l'occasion des fournitures qu'il livrait à la femme M... ni avec le défendeur, ni avec l'épouse du dit défendeur; 4o. que jamais aucune demande de crédit ne lui a été faite par ces derniers; 5o. qu'ainsi que cela se pratique généralement à Paris entre les fournisseurs et les particuliers qui reçoivent les fournitures à crédit et ne les payent qu'à la semaine, au mois ou à d'autres termes convenus, il n'existait entre V... et la maison du défendeur aucun carnet de crédit; 6o. que depuis la dite date du 1er juin 1881 jusqu'au 11 avril 1883, c'est-à-dire pendant plus de vingt-deux mois de fournitures s'élevant au total à 3,427 fr. 40; V... n'a reçu aucun acompte de la femme M... et n'a adressé aucune réclamation au défendeur, fait établi par la lettre de la dame V... en date du 11 avril 1883, laquelle sera enregistrée en même temps que le présent jugement.

"Attendu que, dans ces circonstances de fait, il est constant que V... a suivi la loi de la femme M... et que, dès lors, sa demande n'est nullement fondée vis-à-vis du défendeur sur lequel il ne saurait faire peser les conséquences d'un fait dû uniquement à son imprudence et à sa négligence.

"Par ces motifs,

"Déclare V... mal fondé dans sa demande et le condamne à tous les dépens.

Cette décision est conforme à la jurisprudence. Arrêt de la Cour de Cassation 22 janvier 1813—Tribunal civil de la Seine 29 août 1870—8 août 1872.

(Rapport de M^{re} LOUIS ALBERT.)

(J. J. B.)

GENERAL NOTES.

A case stated by a revising barrister in England, says: "It was proved before me that the land in question had that year no actual value, not even the chasing of a grasshopper."

The Chinese are asserting their rights in the courts. In a case lately, Tom Lat and Ah Qnong sue a daily paper for publishing a rumor that leprosy existed in their laundry.

The anxious fairness with which Mr. Justice Lopes treated the defendants in *Regina v. Jarrett* was extended after the termination of the trial to the conductors of the newspaper involved in the case, and the learned judge was good enough to answer a letter from the acting editor, and to explain words used by him in passing sentence. To send a letter to a judge commenting on a trial in which he has taken part is a contempt of Court the more gross because it puts the judge in a dilemma. If he does not answer it, it may be said of him that he admits its contents. If he answers it, he condones the offence. The latter course has been forced upon Mr. Justice Lopes in this instance, but the occasion must not be taken as a precedent.—*Law Journal* (London.)

The Georgian Law Reporter is a new venture in legal journalism, containing the decisions of the Supreme Court of Georgia.

The cases on the calendars of the Courts of Record in New York at the opening of the terms numbered 5,020, divided as follows: 1,227 in the Superior Court, 1,660 in the Supreme Court, 1,130 in the Common Pleas, 854 in the city Court, 600 in the United States District Court. This enumeration does not include cases in the Surrogate's Court. Investigation shows that on an average there are thirty-two new actions at law begun in the various Courts of this city every working day in the year. To dispose of this vast volume of litigation there are twenty-seven judges, and to appear for the litigants, nearly 6,000 lawyers. So from the present condition of the calendars there will not be cases enough to go around and give the officers of the Court one apiece.

In Re Chapple, Newton v. Chapman, 51 L. T. Rep. N. S. 748, Mr. Justice Kay is reported to have said, "I always struggle against being bound by authority, unless the principle upon which the authority proceeds commends itself to my judgment."

One of the justices in the Maine Supreme Court occasionally amuses himself, when alone, by taking down an old fiddle and playing on it. His father was the fiddler of the village, a nomadic and jovial soul. Said an old neighbour the other day: "When I went to muster sixty years ago, I used to see the judge and his father playing the fiddle for dances at sixpence per tune. That was the regular price in those days. None of the dancers ever supposed that their little fiddler would become a judge of the Supreme Court."—*Leviator Journal*.

The first lady student ever admitted to any department of Yale College, outside the Art School, entered the senior class of the law school on the first of the present month. The young lady is Miss Alice J. Jordan, a graduate of the University of Michigan. The *New York World* in speaking of her admission, says: "She is prepossessing and intellectual."

Bread sold at a shop to a purchaser and delivered by the baker is not 'bread for sale' which, under the statute, if carried in a cart, must be accompanied by weights and scales (*Daniel v. Whitfield*, 54 Law J. Rep. M. C. 134).