

Heard on motion for leave to appeal from interlocutory judgment, C.A.V.

Smith & Fairbanks.—Motion to dismiss appeal, rejected.

Scottish American Insurance Co. & Bury.—Appeal dismissed (*perimé*).

The January Term then came to an end.

BUSINESS FAILURES IN 1884.

The following is a statement of the failures in Canada and Newfoundland during 1884, by Provinces:—

	No.	Liabilities.
Ontario.....	608	\$9,602,392
Quebec.....	401	4,766,180
New Brunswick.....	73	1,570,337
Nova Scotia.....	140	2,068,860
Newfoundland.....	19	251,536
P. E. Island.....	7	146,000
Manitoba.....	79	786,001
Total.....	1,327	\$19,191,306

The total number of failures is somewhat less than in 1883, but the liabilities are greater, a comparison with the previous years giving the following result:—

	Number.	Liabilities.
1884.....	1,327	\$19,191,306
1883.....	1,384	15,949,361
1882.....	787	8,587,657
1881.....	635	5,751,207
1880.....	907	7,983,077
1879.....	1,902	29,347,937
1878.....	1,697	23,908,677

A comparison by provinces shows the following figures:—

	1883.	1884.
Ontario.....	567	608
Quebec.....	438	401
New Brunswick.....	43	73
Nova Scotia.....	89	140
Prince Edward Island.....	5	7
Newfoundland.....	5	19
Manitoba.....	232	79

And the amount of liabilities in the same period was as follows:—

	\$4,700,000	\$9,602,392
Ontario.....	6,400,000	4,766,180
Quebec.....	747,000	1,570,337
New Brunswick.....	1,068,000	2,068,860
Nova Scotia.....	40,000	146,000
Prince Edward Island.....	48,000	251,536
Newfoundland.....	2,869,000	786,001
Manitoba.....		
Total.....	\$15,949,361	\$19,191,306

CRIMES AT SEA.

Sir Sherston Baker in his interesting article in the current number of the *National Review* on the Mignonette Case hardly proves the very ingenious point which he takes. It is true, as he points out, that the Act of Henry VIII. transferring the jurisdiction to try crimes on the high seas from the Admiralty Courts to the ordinary Criminal Courts deals only with procedure and not with substantive law, so that if immediately after the passing of that Act the law of murder as un-

derstood in the Admiralty Courts was different from the common-law idea of murder the Admiralty view prevailed. The existence of any such distinction is, however, not shown by the citation of more or less vague passages from more or less obscure writers on the civil law. The civil law is no part of the law of England unless it has been adopted by the English Courts, and it lay on Sir Sherston Baker to show that the Admiralty Court had adopted the principle that a man may be killed at sea to sustain life without the commission of murder. He has not succeeded even so far, and it would be an absurdity if at any time in the history of the law an act was at once criminal when the tide was out, and justifiable or even laudable on the same spot when the tide was in. In regard to the law of the present day, and as applicable to the Mignonette Case, the matter has been put beyond doubt by 39 Geo. III. c. 37, passed to amend the Act of Henry VIII. This Act provides that 'all and every offence and offences which, after the passing of this Act, shall be committed upon the high seas out of the body of any county of this realm shall be, and they are hereby declared to be, offences of the same nature respectively and to be liable to the same punishments respectively as if they had been committed on the shore, and shall be inquired of, heard, tried, and determined, and adjudged in the same manner as treasons, felonies, murders, and confederacies are directed to be by the same Act.' We do not think this Act is referred to by Sir Sherston Baker. — *Law Journal* (London).

GENERAL NOTES.

Le plus ancien journal du monde que l'on connaisse est sans doute le journal intitulé "*Acta populi romani diurna*," dont il existe encore un numéro remontant à l'année 168 avant Jésus-Christ, et dont voici la traduction:—Le 29 mars, Livinius a exercé aujourd'hui les fonctions gouvernementales.—Un violent orage a éclaté dans la journée d'aujourd'hui, la foudre est tombée sur un chêne, peu après midi, dans la proximité de la colline Véli, et l'a fendu en plusieurs morceaux.—Il y a eu une rixe dans une auberge qui a pour enseigne l'Ours, tout près de la colline de Janus; l'aubergiste a été grièvement blessé.—L'édile Titinius a condamné les bouchers qui dépecent la viande, attendu qu'ils ont vendu de la viande au peuple, qui n'avait pas été soumise à l'inspection des autorités. Les amendes ont servi à élever une chapelle à la déesse.—Le changeur Ausidius, dont le bureau a pour enseigne le bouclier du Cimbre, a pris la fuite en emportant une somme considérable. On l'a poursuivi et on est parvenu à l'atteindre. Il avait encore sur lui tout l'argent emporté. Le préteur Fontejus l'a condamné à restituer tout cet argent à ceux qui l'avaient déposé chez lui.—Le chef des brigands Denuiphon, arrêté par le légat Nerva, a été crucifié aujourd'hui dans le port d'Ostie.—En lisant ces faits, ne dirait-on pas qu'ils viennent de se passer aujourd'hui même. Changez seulement les noms, et cette petite gazette est toute d'actualité. Il n'y manque que les nouvelles à la main et les échos de théâtres.—*La Minerve*.