

apan, which is not only richer in "much more wholesome in taste when cooked, and destitute of the smell of patent and Chinese rice of grains ours is very much like na, and I believe it is not inferior. There are two species of rice, Mochi-gome and Kome. The far more glutinous and white Carolina, and in fact it is so rich that we use it only for pastry and other purposes. I do not know if rice is in India or China; but from the cheapest price as it is that is, about \$3.25 a bag, I do not think ours cannot be imported with as others, if in unhusked state, the cleaned and finished rice, tariff is too high, the duty being a quarter per pound; for calculate the other charges in margin left for any profit. As there are no rice fields, and is altogether upon foreign supply for which a high tariff seems to be unreasonable."

is an item of Japanese growth that Britain has purchased from the extent of £46,000 stg. in a single year. grow a vegetable wax from which candles may be made; it yields a yellowish which is "the only ingredient which keeps up the fame of our lacquer. Bamboos grow to a height of 40 feet, and have a diameter of 4 to 6 inches. their use for interior architecture is not, being at once ornamental and durable. They are recommended for "work and other household goods." The paper is remarkable for its strength as well as smoothness, some transparency, and its worth for surgical purposes is insisted upon. Its uses in the United States, it has been much taken with the made in Japan. Very fine point brushes are the special quality. Our seal-hair brushes are ridiculous. While camel's hair ones are of little use. Our brushes are of excellent quality, and exceedingly cheap. Six cents in retail will buy what elsewhere pay twenty-five to fifty cents for. ohama."

CLEAN YOUR PREMISES.

The weather should remind municipalities everywhere of the necessity of cleanliness in the interest of the public. Stagnant water, cess-pools, stoppings, rotting garbage, should be removed and done away with. Shopkeepers' articles of food should especially be such matters. Foul or damp drained outhouses, pestilent barns, and breeding places of disease should be cleansed. The case is stated in the *Sentinel-Review* of Woodstock to a Princeton letter: "A few days of fever should warn us to look to sanitary matters, to the cleanliness of slaughter-houses, to the state of our barns, cellars, barn-yards and out-buildings, to the prompt and deep burial of carcasses or other animals, and to the disposal of refuse, vegetable matter,

and waste water from our houses; this last named too often carelessly pitched out of the nearest door or window, to be acted upon by the heat of the sun and send forth its sickening odors fraught with disease—and it may be death."

This matter was well put by the head of the Local Board of Health at Essex Centre not long ago. Said that functionary in his circular: "The Board is working for the good of all; it has no selfish object in view; don't abuse its members for preserving your health; greet the sanitary inspector as an angel in disguise; he may be worth many dollars to you; he may save your life or the life of your child. Now is the time to clean up yards, to burn all rubbish and refuse, to drain off all surface water, and in general to put all your surroundings in good shape before the sun causes decay that will breed disease." Another sermonette on the same topic was delivered by the chairman of the Amherstburg Board of Health, who did not stop to smooth his way by argument, but at once declared that each individual householder "should start in at once and clean his yard, scattering fresh lime or a solution of copperas and burning up all rubbish and refuse that may be about. Disinfect your cellars by burning a pound or so of sulphur in them. If all lovers of cleanliness will carry out these simple suggestions it will greatly assist the Board in promoting the good health of the community."

Burn kitchen refuse, burn sweepings, burn rubbish of all sorts. This is the surest way to be rid of danger from it. There is enough vegetable and animal matter thrown into street or lane or back-yard to rot, to raise the death rate of our cities and towns.

MATTERS IN MONTREAL.

Our Montreal correspondent writes as follows: "The weather with which this district has been visited of late is the source of considerable disquietude to the farming community. Since last writing we have experienced several very depressing and damaging down-pours of rain, flooding low-lying lands, and putting a stop to all haying operations for several days. What hay was down must have been seriously damaged. The effect of such heavy rains upon grains and roots at this stage of their growth cannot be beneficial. From Eastern and Central Ontario reports denote the crops to be most excellent, and late advices from Manitoba both by letter and by parties just returned thence indicate a much better prospect as regards the grain yield there than a fortnight ago. The business aspect here is in the main quiet and steady. Grocery houses report an improved demand and a firm market for teas, but country orders for sugar are extremely light, and the St. Lawrence refinery is about shutting down. Prices of iron are higher here; warrants being up in Britain and the rolling mills advancing prices on bars, hoops, and sheets. Importers of dry-goods show a more cheerful tone, advices from the North-West being of improved tenor, while the Eastern Townships and Central and Western Ontario give good accounts of the fall prospect. In the Ottawa section, however, trade is decidedly quiet. Textiles of all kinds are reported firm in Europe, woollens makers being fully employed and silk dealers talking of an advance in price. The market for domestic cottons appears to be well maintained."

DECISIONS IN COMMERCIAL LAW.

PURVIANCE v. JONES.—A note signed by the maker and found among his private papers after his death cannot be said to be delivered within the meaning of the law. This is a judgment of the Supreme Court of Indiana. The court said that in order to constitute the delivery of a promissory note it must appear that the maker in some way evinced an intention to make it an enforceable obligation against himself, according to its terms, by surrendering control over it and intentionally placing it under the power of the payee, or of some third person for his use.

DAVIS v. DAVIS.—Still another State of the Union has decided against the validity of "deals in futures," this time the State of Indiana. The court held that where a commodity is bought for future delivery, no matter what the contract is, the law regards the substance and not the shadow; and if the parties mutually understood and intended at the time of the contract, whether expressed or not, that the commodity said to be sold was not to be paid for nor to be delivered, but the contract was to be settled and adjusted by the payment of difference in price—if the price should decline the purchaser paying the difference; if it should rise the seller paying the advance, the contract price being the basis on which to calculate the difference—in such case it was a gambling contract and void; a promissory note executed in carrying on such business, by one party to the other, was void in the hands of the payee.

GRISSOM v. COMMERCIAL NATIONAL BANK.—The Supreme Court of Tennessee has given a judgment recently in an important case which has given rise to a great deal of discussion. The point decided is that a bank has no authority to pay a third party a note made by a depositor payable at its place of business, merely because he has funds there for that purpose, in the absence of any course of dealing or previous instructions so to apply the deposits. The English law seems to be the other way, and to the effect that when a note is made payable at a particular bank, the bank is bound to pay it without consulting its customer.

PRIVILEGE.

The defence of privilege is often raised in actions for defamation of character, whether by slander or libel. If this defence be made out it is a perfectly good one, because it affords a protection to the defendant. The plea that the statement made by the defendant was true is a valid and sufficient answer, if proved, to an action for libel or slander; but while the truth is an absolute defence, privilege is only a conditional defence, and is required to be pleaded where the statements are untrue or erroneous, but the circumstances in which they are uttered give immunity to the defendant from the consequences of those statements. That the law should allow certain statements to be privileged is essential to the proper conduct of the affairs of this life, but although such statements may be allowed, the law looks with a jealous eye upon them, and the privilege granted may be destroyed by the proof of actual malice, shown either by the communication itself or by the conduct of the person who made it.

An employer is not bound to give a character to his servant or workman, but if he does so, notwithstanding that some of his state-

ments may be erroneous, if it should appear that he is not actuated by malice, he will be protected. There is a further protection granted to confidential communications made between persons as matters of duty or interest. As an instance, friends may tell each other circumstances affecting a third party if it should be necessary to prevent loss or injury to a friend, and if the statement is not made merely for the purpose of slandering or the occasion justifies the statement. So, again, men of business are entitled to answer questions affecting the soundness of other traders if, such answers be given *bona fide* without malice and without a reckless disregard of the truth, if there is a genuine interest at stake. But if a man should make a false statement about another, based upon information which he has received, he is not protected, and the law will not allow him to plead privilege if by mere inquiry he could have discovered that the authority upon which he relied was untrustworthy. It is true that in the business of every-day life answers are given which cannot always be strictly true. If the parties making them were liable to an action for damages for any error that might be made, business under the complicated conditions of modern life would be impossible. It is for this reason that the law protects such communications as pass between men of business and which are made *bona fide* without malice and without recklessness. This general rule applies to the answers to any inquiries which are made from the numerous inquiry offices existent in England as to the commercial solvency or standing of any person with whom the inquirer may wish to do business. It also applies to similar inquiries made from a private individual, and therefore no one need be afraid of making such answers to these questions as he may honestly believe to be true, and so long as he does so in perfect good faith, and without malice, bias, or ill-feeling, he will be protected against damages under the legal authority of a qualified privilege.

The basis of the rule relating to privileged communications is that they are made without malice and in good faith on the ground of some interest or duty. In case of a communication made *bona fide*, in a matter in which the communicating person has an interest or in which he has or believes he has a duty to perform to a person having a similar interest or duty, then the statement will be privileged, although, outside this privilege, the communication would have been distinctly slanderous for the reason that it contained incriminating or defamatory matter. For this reason a trader is protected if, in answer to any inquiry about the solvency of a third person, he should give a reply which is untrue, provided, of course, that such reply be given honestly and in good faith, without malice or want of due care in the communication of the information. So, too, answers made to an agent or official acting for persons having an interest in the matter of enquiry are protected.

There is also another aspect of the question dependent upon general ideas of duty. This is not strictly confined to a question of legal duty, but social and moral duties from one person to another. The whole question of privilege turns upon the fact that the person giving the answer acts without malice, gives his answer *bona fide*, and has not been guilty of a want of care in disseminating matters which are slanderous in themselves, and which, on inquiry, would have been found to be untrue. Therefore, there must be no attempt to repeat slanderous or defamatory matter under cover of the protection of