

to a settlement, it became unnecessary to decide whether the sale was justified. Scrulton, J., however, expresses the opinion that the rule regulating sales by carriers at sea, applies to carriers by land, and that to justify the sale (1) there must be a real necessity, and (2) it must be impossible to get the owner's instructions in time as to what shall be done.

CRIMINAL LAW—BURGLARY—BREAKING AND ENTERING—KNOWLEDGE OF OWNER OF PREMISES OF INTENTION.

The King v. Chandler (1913) 1 K.B. 125. In this case the defendant was prosecuted for burglary in the following circumstances. He made the acquaintance of one Lorie, the business manager of the prosecutrix, and proposed to him a scheme whereby he should rob the prosecutrix's shop. Lorie informed his mistress and the police of the defendant's intentions, and thereafter acted under the instructions of the police, and in pursuance of those instructions he let the defendant have the keys of the premises from which he took wax impressions from which he made false keys. With these keys, on a day arranged with Lorie, he obtained entrance to the premises, and was there arrested by police officers who were on the watch for him. He was convicted of burglary, from which conviction he appealed, and it was contended on his behalf that as the prosecutrix had notice of his intention, the unlocking of the door, though a breaking if done against the will of the owner, was not a breaking in the present case because of the owner's knowledge of the intention to make the entry; but the Divisional Court (Lord Alverstone, C.J., and Channell and Avory, JJ.) held that the knowledge of the prosecutrix of the defendant's intention was no evidence that she assented to his act, and therefore that he had been properly convicted.

INSPECTION OF PROPERTY—"BUILDING IN POSSESSION OF PARTY TO ACTION"—TENANTS IN COMMON.

Coomes v. Hayward (1913) 1 K.B. 150, although a case turning upon the construction of a County Court Rule, has a bearing also on the construction which should be placed on Ont. Rules 571, 1096. The Rule in question authorizes the Court to order inspection of property, and for that purpose to authorize persons to enter upon any land. The Judge of the County Court under this Rule made an order for inspection, and authorized an entry for the purpose on certain premises which were held in common, some of the tenants not being before the court, and the Divisional