

Bench and Bar.

JUDICIAL APPOINTMENTS.

The Honourable James Thompson Garrow, of the city of Toronto, in the Province of Ontario, a justice of appeal of the Supreme Court of Judicature for Ontario, to be a local judge in Admiralty of the Exchequer Court in and for the Toronto Admiralty District. (March 1.)

His Honour Hugh O'Leary, judge of the District Court of the Provincial Judicial District of Thunder Bay, in the Province of Ontario, to be a Surrogate judge in Admiralty of the Exchequer Court for that portion of the Toronto Admiralty District comprised in the Territorial Districts of Thunder Bay and Rainy River in the said Province of Ontario. (March 7.)

Flotsam and Jetsam.

THE LAW OF THE AIR.

The recent successful attempts at aviation open up a new and interesting field of legal inquiry. In the not distant future the aeroplane is likely to become a common means of transportation. This will necessitate the enactment of laws defining the relative rights of those who, Ariel-like, traverse the viewless pathway of the air, and of those terrestrial dwellers whose rights of person and property are likely to be infringed.

The *St. Joseph (Mo.) Press* states that Governor Hughes, of New York, believes that legislation will soon be necessary to control airships, and favours the prompt enactment of laws defining the right of aeroplanes to fly over others' property, and restricting or regulating the carrying of passengers.

Chief Justice Baldwin, of the Connecticut Supreme Court, recently lectured on this subject before the Yale Law School, holding that the common-law ownership theory would have to be modified to meet the conditions of modern progress. The theory of the common law has been that owners of the soil own all that is directly above and directly beneath their property, to an indefinite extent. On this theory, if a man owns all the