

OSGOODE LITERARY AND LEGAL SOCIETY.—ARTICLES OF INTEREST.

solvent had embarked in a new business, having been intrusted by his new creditors with some \$4,000 or \$5,000 worth of goods upon a representation that he had no available capital, but that he had experience in business; that he was shortly afterwards threatened with proceedings by a mortgagee of some property of his, which, if persisted in, must have closed his business, and that in this emergency he applied to the defendant, who advanced him sufficient to meet the over-due interest, and gave an extension of his own claim, on notes held by him, at a reduced rate of interest: that the defendant intimated to him at the time that he would have to work very carefully.

The evidence also showed that the insolvent was a man of very sanguine temperament.

Held, (over-ruling the decision of the Court below) that the plaintiff had not satisfied the onus which was upon him, of showing that the mortgage was given in contemplation of insolvency, and the evidence leaving the matter in doubt, the complainant must fail, the general presumption of law being in favour of innocence and honesty.

Gibbons, for appellant.

J. H. Macdonald, for respondent.

LAW STUDENTS' DEPARTMENT.

THE OSGOODE LITERARY AND LEGAL SOCIETY.

The 18th public meeting of this society, was held in the new lecture room of the Osgoode Hall on the 7th of March last. The hall was crowded by an intelligent and highly appreciative audience, and the proceedings were of such a nature as to afford them excellent entertainment. Mr. D. B. Read, Q. C., occupied the chair, and associated with him on the platform was Dr. Smith, Q. C. The programme was opened by Mr. A. D. Keen reading Tennyson's new poem "The Scarlet Brigade" in a very pleasing style, and Mr. A. J. W. McMichael read Mark Twain's amusing experience at Niagara Falls. The debate was next in order, and was opened on the affirmative by Mr. A. S. Clark, supported by Mr. Duggan, while the negative of the question was sustained by Messrs. Nelson and Cook. The subject resolved, "that the mental faculties of women were inferior to those of men," proved a very interesting one, and was ably treated in a practical way by both sides. At the conclusion of the debate, the chairman reviewed the subject in a scientific

manner, and after commenting upon the arguments, decided that the affirmative had the best of the discussion. Votes of thanks were then tendered to the chairman and Dr. Smith, who replied briefly, and the meeting adjourned.

At the regular meeting of the Society held on the 25th ult., the president, Mr. Isaac Campbell, occupied the chair. Mr. Gerald Bolster contributed to the literary part of the programme by reading a selection entitled "Nothing to Wear." The subject for discussion was whether "a representative should be bound by the will of his constituents." The affirmative of which the question was advocated by Messrs. Cavill and Murray, and the negative by Messrs. Morehead and A. J. W. McMichael. The chairman upon summing up the arguments, explained the position and duties of a representative to his constituents, with regard to the various questions discussed by the legislature, and decided in favour of the negative, and the meeting after transacting some general business adjourned.

ARTICLES OF INTEREST IN COTEMPORARY JOURNALS.

Ambiguous acceptances of offers. — *Gibson's Law Notes*, Jan. and Feb.

Loss of goods by carriers. — *Irish L. T.*, Feb. 4.

The sales of poisons. — *Id.*, Feb. 18.

Places within the betting houses act. — *Id.*, Feb. 25.

Proof of means to pay. — *Central L. J.*, March 4.

Real estate agent. — *Irish L. T.*, March 17.

Inkeepers and their liabilities for the property of their guests. — *Id.*

Woman as an office-holder and law breaker. — *Albany L. J.*, Feb. 11.

The value of oil paintings. — *Id.*, Feb. 25.

Recent humorous cases of negligence. — *Id.*, March 4.

Criminal law decoys. — *Id.*, March 11.

Severability of insurance. — *Id.*, March 27.

Use of family names in business. — *Id.*, March 18.

Comments of a judge upon the evidence. — *Central L. J.*, March 3.

Execution of deeds by agents. — *Id.*, March 10.

Injury to parental feelings. — *Id.*, March 24.

FLOTSAM AND JETSAM.

The following paragraph appears in the *Law Times* of last week, under the heading 'Legal News':—

THE BAR AT SHANGHAI.—Advices received at Plymouth from Shanghai report that the Woosung bar, off that place, which has proved the means of destruction of many a ship, is to be dredged out of existence.

Sincere sympathy will be felt with the members of this bar. No doubt their advocacy in shipping cases does not seem to have been very well received, and is even said to have ruined many a good ship; but ignorance of the rule of the road at sea is not uncommon among lawyers, and hardly deserves such summary treatment as dredging out of existence—some form, we greatly fear of keel-hauling. — *Law Journal*.