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EDITED

BY

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TABLE OF CASES

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The small number of superior judges in England has long made it difficult to satisfy the wants both of the provinces and of the metropolis. Recently, for a considerable period, there were but four judges left in London, one of whom was required daily in chambers, leaving three to cope with the long lists of causes awaiting trial. It appears to be yet undetermined whether a remedy will be applied to this state of things by increasing the number of superior judges or increasing the jurisdiction of the local judges. The *Spectator* remarks:—"Between the two remedies suggested there is not much to choose in the way of expense; but it is submitted that the balance of convenience is in favor of an increase in the number of judges such as would enable circuit business to be done properly, and London work to be efficiently performed. Decentralization involves crystallization. County court judges, after some years in a given locality, begin to know too much of the inhabitants, become familiar with the appearance of suitors, and the manners of the advocates who appear before them. Sometimes they become—but this is rare—violently dogmatic, or take an objection on principle to an Act of Parliament. The writer has experience of one who can hardly be induced to recognize the Married Women's Property Act, and of more than one whose patience yields to the strain caused by the feeling that, if he listens to argument, he may lose a convenient train. Moreover, if you increase the jurisdiction, you make it inevitable that the county court judge should, from time to time, be compelled to try cases in which the interests of his friends are involved, which is a thing by no means to be desired, for, let him be ever so impartial, he will in such cases be accused of favoritism. Under the circuit system, on the contrary, legal intelligence circulates. Judges fresh from London, from contact with the highest ability at the bar, go through the country administering justice to men who are complete strangers to them, and knowing nothing of the antecedents of the parties. They have the evidence before them, and decide accordingly; and so deciding, or in criminal cases apportioning punishment, they are, in addition, an example of judicial demeanor."

The remarks of Professor Huxley on public speaking, which will be found on another page, are in accord with a very wide experience on the part of men of distinction. Careful preparation is the keynote of the best advice on the subject. The late Thos. D'Arcy McGee was a brilliant and a ready speaker, but we know that he never delivered a public address without having previously written out what he proposed to say, though the manuscript was not used or produced at the time. The late Mr. Kerr, Q.C., informed the writer that he always wrote out his arguments beforehand, even in the inferior courts. In appeal, he often contented himself with reading from the printed case. It may be a consolation to nervous speakers to read the frank admission of Mr. Huxley on this subject. That one as "chock full of science" as Captain Cuttle believed Solomon Gills to be, should confess to a nervousness never to be overcome, will give them the comfort which springs from the feeling of companionship in misery.

COUR SUPÉRIEURE.

AYLMER, (dist. d'Ottawa), 17 octobre 1888.

Coram WURTELE, J.

(En Chambres)

SAWYER et al. v. BOHAN et al.

Huissier—Frais.

JUGÉ:—*Sur motion pour faire réviser la taxation des frais d'huissier, que dans une action émanée de la Cour Supérieure, au chef-lieu d'un district, dans une cause de* $100 *à* $200, *l'huissier chargé d'un bref de Fi. Fa. de bonis n'a pas droit contre le défendeur à plus de frais que si tel bref eut été exécuté par l'huissier le plus proche du domicile du défendeur, mais a droit à ses frais de route contre la partie qui l'emploie.*

Les défendeurs résident dans le comté de Pontiac et ont été poursuivis pour une somme

audessous de $200 dans la Cour Supérieure. Les demandeurs ont employé un huissier demeurant à Hull, dans le comté d'Ottawa, pour exécuter le jugement, sans faire d'arrangement quant à ses émoluments. Il a chargé les frais de route depuis Aylmer, et les demandeurs ont prétendu qu'il n'avait droit à ces frais qu'à compter de la résidence de l'huissier le plus proche de celle des défendeurs et ont demandé la révision de son compte. Le juge a dit que le cas était réglé par l'article 1061 du code de Procédure Civile le statut 42-43 Vict., ch. 21, et la règle de pratique additionnelle de Décembre 1870; que l'huissier avait droit à ses émoluments mais qu'on ne pouvait exiger des défendeurs que le montant qu'ils auraient eu à payer si on avait employé l'huissier le plus proche de leur résidence.

Voici le jugement:—

"I, the undersigned judge of the Superior Court, after having heard the plaintiffs and the bailiff Robert T. Clauson upon the application of the latter for the revision of the taxation of his fees;

"Do revise and tax his fees on the writ of execution issued and executed by him as follows as against the plaintiffs, who employed him, to wit:—(ci-suit un état détaillé des routes parcourues par l'huissier pour faire les saisie, annonces et vente) amounting in all to $44.95;

"But seeing that William Belcher, a bailiff of this Court, resided, at the time of the services rendered, in Clarendon, at the distance of ten miles only from the defendant's domicile, as against the defendants I only allow two dollars of mileage for each trip, making $28.80 to be deducted from the above amount of $44.95, and leaving $16.15, at which sum I tax the costs of seizure and sale against the defendants."

A. McMahon, avocat des demandeurs.

Rochon & Champagne pour l'huissier.

(A. M.)

COUR DE CIRCUIT.

HULL, (comté d'Ottawa),
9 décembre 1886.

Coram WURTELE, J.

PAQUIN v. LAVERDIÈRE.

Vente conditionnelle—Inexécution des conditions—Recours du vendeur.

JUGÉ:—1o. *Qu'un acte sous seing privé, comportant être un bail d'objets mobiliers, avec promesse de vente conditionnelle, pour un prix nominal, après que certains paiements stipulés par installements auront été faits, et suivi de la livraison des effets, est une vente conditionnelle.*

2o. *Que dans l'espèce, il n'y a pas lieu à la saisie en revendication, malgré toute clause de l'acte au contraire, et que le recours du demandeur aurait dû être une demande en résiliation de l'acte de vente, au cas d'inexécution des conditions y stipulées, pour ravoir la possession des effets, ou une action pour le recouvrement des termes de paiements échus.*

Le demandeur par son action faisait saisir revendiquer une grande roue de moulin, avec le cheval servant à faire fonctionner cette roue, ainsi que son gréement, de la valeur de $75.50, qu'il alléguait généralement être sa propriété, et que le défendeur retenait contre son gré et refusait de lui livrer.

Le défendeur plaidait à cette action en alléguant et produisant une convention sous seing privé, comportant être un bail, mais qui était en réalité une vente des effets, à de certaines conditions;—qu'il avait été mis en possession de ces effets par le demandeur en vertu de cet acte; qu'il lui avait payé une partie du prix des effets lors de la transaction, la dite somme de $75 n'en étant que la balance; — qu'il était propriétaire des dits effets, et que le demandeur n'avait pas le droit de les revendiquer.

Entr'autres clauses et conditions, le contrat contenait les deux suivantes:—

"Que si la dite partie de la deuxième part (le défendeur) ne forfait pas, c'est-à-dire ne perd pas les droits lui résultant des présentes, elle aura au moment où elle achèvera le paiement du dit loyer, primitif aussi bien que subséquent, le privilège facultatif d'acheter les dits effets en bloc dans l'état et au nombre qu'ils seront alors, moyennant le prix de 25 centins. Mais que la possession des dits effets donnée à la dite partie de la deuxième part n'aura pas l'effet de rendre la promesse de vente conditionnelle sous entendue aux présentes équivalante à une vente; et que la dite partie de la deuxième part n'aura qu'une possession précaire des dits effets lesquels seront et demeureront la propriété

absolue, exclusive et en totalité de la partie de la première part jusqu'à tel achat par la dite partie de la deuxième part, s'il a lieu ; et que le privilège facultatif de celle-ci de faire le dit achat des dits effets est seulement conditionnel et éventuel.....

"Que si la dite partie de la deuxième part s'arrière dans le paiement du dit loyer pour quelque raison que ce soit, ou cède ses intérêts dans le dit bail.... la dite partie de la deuxième part perdra par ce fait tous droits lui résultant des présentes, et sera déchu du privilège facultatif d'acheter les dits meubles et effets mobiliers. Le seul écoulement du temps pour accomplir l'une des obligations ci-dessus stipulées, ou la seule arrivée de l'une des choses ci-dessus prohibées, constituera en demeure la dite partie de la deuxième part, et la dite partie de la première part pourra de suite prendre possession physique des dits meubles et effets mobiliers, ou les faire saisir en revendication, aux dépens de la dite partie de la deuxième part, sans que cette dernière puisse reclamer la remise ou la réduction d'aucune partie du dit loyer échu ou une indemnité quelconque. Cette clause est de rigueur et sera considérée comme condition résolutoire."

Voici le jugement :—

"The Court having heard the parties by their counsel, etc,....

"Seeing that the document produced, under which the defendant acquired and held the moveable property seized by way of revendication in this cause, is not in effect a lease, but a conditional sale thereof, and that the plaintiff was not at the time of the issue of the writ of attachment in revendication, or of the seizure, the owner thereof:

"Considering that the plaintiff was not entitled to proceed by attachment in revendication, but that his recourse should have been by action for the resiliation of the sale;

"Considering that the demand in this cause is unfounded and that the proceedings therein are irregular and illegal;

"Doth dismiss the action in this cause, and release the moveable property attached from the seizure in revendication effected thereof with costs, whereof distraction, etc., saving to the plaintiff any recourse he may have for the resiliation of the sale and the recovering of any part of the price which is or may become due."

Rochon & Champagne, avo. du demandeur.

A. McMahon, avocat du défendeur.

(A. M.)

*COURT OF QUEEN'S BENCH—MONTREAL.**

Removal of executor—C. C. 917, 282, 285.

Held, (reversing the judgment of the Court of Review, M. L. R., 3 S. C. 31), that the existence of a law suit between one executor and the estate he represents, especially when there are several executors, is not a sufficient cause for the removal of such executor.

2. Art. 282 C.C., does not apply to executors chosen by the testator.—*Mitchell & Mitchell*, Dorion, Ch. J., Tessier, Cross, Church, JJ., May 19, 1888.

SUPERIOR COURT—MONTREAL.†

Right of redemption—Refusal to retrocede—Tender not followed by consignation—Right to revenues of property.

Held, that a vendor, seeking to give effect to a right of redemption, and who merely makes a tender to the purchaser, not followed by consignation, does not thereby acquire a right to the revenues of the property if the purchaser refuses to retrocede. A consignation, to be effective, should be made, *partie appelée*, at a place and time, and with a person, duly designated to the holder of the property. Moreover, in the present case, the tender was insufficient in amount.—*Fournier* v. *Leger*, Davidson, J., Nov. 7, 1888.

Monies of municipality handed by Mayor to his successor—Responsibility of Mayor to Secretary-treasurer.

Held, (affirming the judgment of Brooks, J.), that the defendant, mayor of a municipality, who had received monies belonging to the municipality, from the secretary-treasurer, was bound to account for the same to the secretary-treasurer, who had been held accountable to the municipality therefor; and that the fact that the defendant had handed the monies over to his successor in the office of mayor, without proof that it was done at the request or with the approval of the secretary-treasurer, did not relieve him from so accounting.—*Main* v. *Wilcocks*, in Review, Jetté, Taschereau, Loranger, JJ. (Taschereau, J., *diss.*) Oct. 31, 1888.

*To appear in Montreal Law Reports, 4 Q. B.

†To appear in Montreal Law Reports, 4 S. C.

DECISIONS AT QUEBEC. *

Droit municipal—Privilège de traversier — Articles 549, 550 *et* 860 *Code Municipal.*

JUGÉ :—Que les corporations municipales locales ont le pouvoir d'accorder un privilège exclusif de traversier (*ferry*) sur les rivières situées dans leurs limites.—*Paquet* v. *La Corporation de St. Lambert et al.*, C. S., Caron, J., 16 oct. 1888.

Meuble immobilisé—Privilège du vendeur.

JUGÉ : — 1o. Le privilège pour le prix du vendeur d'un meuble incorporé à un immeuble ne prime pas les hypothèques inscrites sur cet immeuble ;

2o. Il ne s'étend pas aux frais de l'action intentée pour recouvrer le prix.—*Bilodeau* v. *Sharples*, en révision, Casault, Andrews, Pelletier, JJ., 30 nov. 1887.

Maintenance — Alimony — 42-43 *Vict., ch.* 14.

HELD :—That where the revenues of a person's property are barely sufficient for her support, she is not liable to the corporation of her parish for the maintenance of her insane child in an asylum, under 42-43 Vict., ch. 14. — *Corporation of Ancient Lorette* v. *Voyer*, C. C., Andrews, J., Oct. 15, 1888.

Practice—Dock dues after arrest.

HELD :—The arrest of a vessel puts an end to any contract for repairs which she may be undergoing at the time, and the marshal in whose custody she remains is responsible for subsequent dock dues. He may, therefore, include in his account a charge for the dock dues from the arrest until the sale. — *Canada Shipping Co.* v. *The* " *Chrysolite* ", Vice Admiralty Court, Irvine, J., Oct. 9, 1888.

Injunction—Violation of—Grounds for.

HELD :—1. An order of injunction, no matter under what circumstances obtained, must be implicitly observed, so long as it exists.

2. An interim order of injunction will lie to restrain the Quebec Harbour Commissioners from proceeding on an arbitration under 36 Vict., ch. 62, sect. 14, where it is made to appear that such arbitration has already been held, and suit has been brought and is pending to recover the amount of the award.—*Clint* v. *Quebec Harbour Commissioners*, S. C., Andrews, J., Nov. 3, 1888.

* 14 Q. L. R.

SUPREME COURT OF CANADA.

OTTAWA, December 22, 1888.

THE MANITOBA RAILWAY CROSSING CASE.

Railway Crossings—Case under ch. 5 *of Statutes of Manitoba*, 1888.

The following case was submitted to the Supreme Court of Canada by the Railway Committee of the Privy Council :—

Case under chapter 5 of the statutes of Manitoba (passed on the 30th day of April, 1888).

The Railway Commissioner of that province is constructing a railway known as the Portage extension of the Red River Valley railway, from Winnipeg to Portage la Prairie, both places being within the province of Manitoba, and he has made application to the Railway committee of the Privy Council of Canada, under section 179 of the Railway Act of 1888 (Canada), for the approval of the place at which and the mode by which it is proposed that the said Portage extension should cross the Pembina branch of the Canadian Pacific railway (the said branch being part of the Canadian Pacific railway), at a point within the said province. The Railway Act of the Manitoba Legislature under which the railway is being constructed by the said Commissioner is hereunto annexed, marked " A ". The application of the Railway Commissioner of Manitoba to the Railway committee of the Privy Council is marked " B."

After hearing the parties interested, and at the instance of counsel for the Canadian Pacific Railway company, the following question is submitted by the Railway committee for the opinion of the Supreme Court of Canada, under the provisions of section 199 of the Railway Act of 1888 : " Is the said

statute of Manitoba, in view of the provisions of chapter 109, Revised Statutes of Canada, particularly section 121 thereof, and in view of the Railway Act of 1888, particularly sections 306 and 307, valid and effectual so as to confer authority on the Railway Commissioner in the said statute of Manitoba mentioned, to construct such a railway as the said Portage extension of the Red River Valley railway, crossing the Canadian Pacific railway, the Railway committee first approving of the mode and place of crossing, and first giving their directions as to the matters mentioned in sections 174, 175 and 176 of the said Railway Act.

The decision of the Court was as follows:—

This Court, having heard counsel for the province of Manitoba and also for the Canadian Pacific Railway, is unanimously of the opinion that the said statute of Manitoba is valid and effectual, so as to confer authority on the railway commissioner in the said statute of Manitoba mentioned, to construct such a railway as the Portage extension of the Red River valley, crossing the Canadian Pacific Railway, the Railway committee first approving of the mode and place of crossing and first giving their directions as to the matters mentioned in sections 174, 175 and 176 of the said Railway Act. Given this 22nd day of December, 1888.

DELAY OF TELEGRAM—MENTAL SUFFERING.

In *Western Union Tel. Co.* v. *Cooper*, Texas Supreme Court, October 23, 1888, an action by a husband to recover damages for failure to deliver a message from him to Dr. Keating, calling him to attend plaintiff's wife in her confinement, it appeared that the messenger went twice to the doctor's office, and not finding him, made no further effort to deliver the message. In the mean-time plaintiff's wife gave birth to a still-born child. The Court said: "Appellant claims that its demurrers to plaintiff's petition should have been sustained because injury to feelings disconnected from an actual personal injury is exemplary damages, and the facts alleged are not sufficient to recover exemplary damages. The very question raised here was before the Supreme Court in the case of *Stuart* v. *Telegraph Co.*, 66 Tex. 580; and the Court after discussing the *So Relle Case*, 55 id. 310, and the two *Levy Cases*, 59 id. 543, 563, the case of *Hays* v. *Railroad Co.*, 46 id. 272, and other authorities, use the following language: 'But it is claimed that the mental is an incident to the bodily pain, and that without the latter the former cannot be considered as actual damages. In cases of bodily injury the mental suffering is not more directly and naturally the result of the wrongful act than in this case; not more obviously the consequences of the wrong done than in this case. What difference exists to make the claimed distinction? That is caused by and contemplated in doing the wrongful act is the principle of liability. The wrong-doer knows that he is doing this damage when he afflicts the mind by withholding the message of mortal illness as well as by a wound to the person.' The conclusion derived from the opinion in the case, from which the foregoing extract is taken, is that injury to feelings caused by a failure to deliver a message relating to domestic affairs, where the failure is the result of negligence on the part of the company or its servants, is an element of actual damages. The same principal was decided by the Commission of Appeals in the case of *Railway Co.* v. *Miller*, erroneously styled in the reports *Railway Co.* v. *Wilson*, 69 Tex. 739, and it was held that the right to recover would not depend upon the degree of negligence causing the injury. If the inexcusable negligence of the defendant's servants is found to be the proximate cause of the injury, damages may be recovered commensurate with the injury. . . . . We do not think the death of the child before birth, and the grief or sorrow occasioned thereby, can be an element of damages in this character of suit. If it is made to appear from the testimony that Mrs. Cooper suffered more physical pain, mental anxiety and alarm, on account of her own condition, than she would have done if Dr. Keating had been in attendance upon her, and the failure to secure his service is shown to be due to the want of proper care on the part of defendant's servants, whose duty it was to deliver the message, a fair and

reasonable compensation should be allowed for such increased pain and mental suffering; but the death of the child, the bereavement of the parents, and their grief for its loss, cannot be considered as an element of damages. Such damages are too remote. They are the result of a secondary cause, and ought not to be allowed to enter into a verdict. This is not an action under the statute by the parents for the death of a child, and if it were, injury to the feelings of the parents could not be a basis of a recovery by them. 3 Wood Ry. Law, 1538, and note 3. Injury to the mother alone, her physical pain and mental suffering, because of her own condition, would be a proper consideration; and it would be correct to allow proof that the child was still-born, if such fact tended to show that her labor was thereby prolonged, and her suffering so increased. It is impossible to see upon what principle the husband can claim damages for injury to his feelings. His suffering could only be from alarm and sympathy for his wife's suffering. His distress is merely a reflection from her distress, aud that might be very considerable, but it is too remote and consequential. She is allowed to recover in this suit, or rather he is, under the forms of law, on account of her injuries of body and mind. To allow him damages for the same injuries would be to allow two recoveries upon the same cause of action. We know of no authority that would justify such a conclusion. The person who suffers the injuries proximately resulting from the wrong done, and such person alone, is entitled to compensation, except in cases where death results, and the cause of action is made to survive to the relatives by virtue of a statute. The husband can sue for such injuries to his wife, but he cannot recover on his own account for his anxiety and sympathy."

PROFESSOR HUXLEY'S ADVICE TO PUBLIC SPEAKERS.

I forget what veteran public speaker it was who gave this advice to a beginner: "Write out your speech; and be especially careful about writing the parts in which you give way to your feelings." But I believe the counsel to be excellent, and, on all important occasions, I have acted upon it. But I have never commited the written matter to memory. And that for several reasons, of which one, that I could not if I tried, is perhaps sufficient. Even if I could learn a speech by heart, I agree with Mr. Bright that the burden of going through the process would be intolerable. However, this is a question of idiosyncrasy. I know of at least one admirable speaker who is said to learn every word by heart, and whose charming delivery omits no comma of the original. The use, to me, of writing, sometimes of rewriting half a dozen times over, that which I threw aside when I had finished it, was to make sure that the framework of what I had to say—its logical skeleton, so to speak—was, so far as I could see, sound and competent to bear all the strain put upon it. I very early discovered that an argument in my head was one thing, and the same argument written out in dry, bare propositions quite another in point of trustworthiness. In the latter case, assumptions supposed to be certain while they lay snug in one's brain had a trick of turning out doubtful; consequences which seemed inevitable proved to be less tightly connected with the premisses than was desirable; and telling metaphors showed a curious capacity for being turned to account by the other side. I have often written the greater part of an address half a dozen times over, sometimes upsetting the whole arrangement and beginning on new lines, before I felt I had got the right grip of my subject.

A subordinate, but still very important use of writing, when one has to speak, is that the process brings before the mind all the collateral suggestions which are likely to arise out of the line of argument adopted. Psychologically considered, public speaking is a very singular process. One half of the speaker's mind is occupied with what he is saying; the other half with what he is going to say. And if the field of vision of the prospective half is suddenly crossed by some tempting idea which has not already been considered, the speaker is not at all unlikely to follow it. But if he does, Heaven knows where he may turn up; or what bitter reflections may be in store for him, when the re-

port of his speech stares him in the face next morning. Cynical as the latter part of the advice which I have quoted may sound, it is just when the strange intoxication which is begotten by the breathless stillness of a host of absorbed listeners weakens the reason and opens the floodgates of feeling that the check of the calmly considered written judgment tells, even if its exact words are forgotten.

As to notes, my experience may be of interest to that unfortunate mortal, the average Englishman, who, as you say, finds it the hardest thing in the world to stand up and speak for ten minutes without looking, or at least feeling, either a fool or a coward. Of that form of suffering I do not believe that the average Englishman knows half so much as I do. For twenty years I never got up to speak without my tongue cleaving to the roof of my mouth; and if the performance was a lecture, without an *ideé fixe* that I should have finished all I had to say long before the expiration of the obligatory hour; and, at first, I clung to my copious MS. as a shipwrecked mariner to a hencoop. My next stage was to use brief but still elaborate notes—not unfrequently, however, having the big MS. in my pocket to fall back upon in case of an emergency, which, by the way, never arose. Then the notes got briefer and briefer, until I have known occasions on which they came down to a paragraph. But the aid and comfort afforded by that not too legible scrawl upon a small sheet of paper was inexpressible. Twice in my life I have been compelled to swim without floats altogether—to renounce even a sheet of notepaper. On one of these occasions, I had to address an audience to some extent hostile, upon a topic which required very careful handling, and I had taken unusual pains in writing my discourse with the intention of practically reading many parts of it. But the assemblage was a very large one; and when I came face to face with it I saw, at a glance, that if I meant to be heard, looking at notes was out of the question. So I took my courage in my two hands, put my papers down, and left them untouched; while the discourse, in a way quite unaccountable to me, rolled itself off as if I had been a phonograph, in order and matter, though not in words, as it was written.

On the other occasion, the circumstances were still more awkward. I had been obliged to dictate my discourse the day before it was delivered to a short-hand writer for the Associated Press in the United States, exacting from him a pledge that he would supply me with a fairly written out copy to be used as notes. My friend the reporter kept his word, and a couple of hours before the time of speaking the manuscript arrived. But, alas! it was written on the thin paper which I believe is technically called "flimsy." I could not read it at any distance with ease, and the attempt to make use of it in speaking would have been perilous. So I had the comfort of knowing that the local papers might have one version and the others another of my speech. Luckily, no one took the trouble to compare the two, or the discrepancies might have afforded good ground for suspicion that my address and myself were alike mythical.

In spite of this tolerably plain evidence that if I were put to it I could very well do without notes, I have never willingly been without them—at any rate in my pocket. At public dinners and ordinary public meetings they have long ceased to come out; but on more serious occasions I have always had them lying before me, though I very often forgot to look at them. I think they acted as a charm against that physical nervousness, which I have never quite got over, and the origin of which has always been a puzzle to me. With every respect for the public, I cannot say I ever felt afraid of an audience; and my cold hands and dry mouth used to annoy me when my hearers were only students of my class, as much as at other times. The late Lord Cardwell once told me that Sir Robert Peel never got up to speak in the House of Commons without being in what schoolboys call a "funk;" and I fancy from what I have heard of great speakers that this trouble of their weaker brethren is much better known to them than people commonly suppose. There is a rational ground for it. So much depends upon all sorts of physical and moral conditions that beginning to make a speech is like going into action, and no man knows—not the most practised of speakers—how he will come out of it.

INSOLVENT NOTICES, ETC.

Quebec Official Gazette, Dec. 29.

Curators appointed.

Re Edouard Gagnon, trader, St. Paul's Bay.—H. A. Bedard, Quebec, curator, Dec. 27.

Re F. Guay & Cie., Quebec.—Kent & Turcotte, Montreal, joint curator, Dec. 20.

Re John Lahey, Sen.—C. Millier and J. J. Griffith, Sherbrooke, joint curator, Dec. 24.

Re George Lemieux & Co., traders, Fraserville.—H. A. Bedard, Quebec, curator, Dec. 21.

Re Clara L. Morency.—C. Millier and J. J. Griffith, Sherbrooke, joint curator, Dec. 24.

Re Alphonse Péladeau, Ste. Jeanne de Chantal, Ile Perrot.—E. Gauthier, Montreal, curator, Dec. 12.

Dividends.

Re L. Chandonnet, St. Pierre.—Dividend, payable Jan. 15, Kent & Turcotte, Montreal, joint curator.

Re Jane Fumerton and J. G. Bryson, Fort Coulonge.—First dividend, payable Jan. 15, Kent & Turcotte, Montreal, joint curator.

Re D. Laurin, Montreal.—Dividend, payable Jan. 15, Kent & Turcotte, Montreal, joint curator.

Re J. Thérien, Montreal.—Dividend, payable Jan. 15, Kent & Turcotte, Montreal, joint curator.

Re Apollinaire Leduc, St. Benoit.—First and final dividend, payable Jan. 15, Kent & Turcotte, Montreal, joint curator.

Re Henry Smith.—First and final dividend, payable Jan. 14, C. Desmarteau, Montreal, curator.

Proclamation.

Circuit Court for the County of Pontiac at Chapeau Village, abolished, and records transmitted to Pertage du Fort.

GENERAL NOTES.

PRIVILEGES OF THE SEX.—Mary Gordon, says a Kansas City journal, was arrested for appearing on the streets in male attire. When tried before Recorder Davenport the evidence showed that she was quietly walking along the streets when arrested. "I do not want any more cases like this brought before me," said the recorder. "I have ruled on several of them lately, and the officers ought to know how I stand on them. There can be no law which prevents women from dressing in male attire and appearing in public therein, so long as they do not conduct themselves in a disorderly manner. Any ordinances to the contrary are illegal. It is the latest fad for ladies to dress in the garments of the opposite sex, and women are gradually coming to it. It is the correct thing, not only for health, but for comfort. I will discharge every woman brought before me under such conditions, as the defendant in this case. You can go, Mary. I think you look as neat as if you had on a dress."

INCREASED ACCOMMODATION WANTED.—At a largely attended meeting of the Montreal Bar held recently, a resolution was adopted asking the Government to move the Circuit Court over to the Chateau de Ramezay, so as to convert its present quarters into a court room, to provide the accommodation which was badly needed. The Bar also decided to ask for the construction of a new wing to the Court House.

DE MINIMIS.

The clergy gather pence, halfpence,
The doctors scruples, grains dispense,
But lawyers hold it an offence
With trifles small one's soul to vex:
De minimis non curat lex.

But if there is a hair to split,
And handsome fees for doing it,
There's not a lawyer wants the wit—
Especially to take the cheques:
De minimis non curat lex.

You wish a contract or a will,
Five reams of foolscap they will fill,
While you must pay their verbose skill—
When lawyers little things annex:
De minimis non curat lex.

As men beat out a grain of gold,
To cover areas untold,
Or make it miles of wire unrolled,
So law treats points—the merest specks:
De minimis non curat lex.

If youth the lawyer trade will choose,
Upon the woolsack he has views—
A *puisne* judgeship he'd refuse:
Ambition big rewards expects:
De minimis non curat lex.

And after years of idleness—
It may be forty, more or less—
He's still a junior: who would guess
The law could so her children vex?
De minimis non curat lex.

And if he finds it hard to live,
However poor, he will contrive
To fascinate and then to wive
A millionaire of female sex:
De minimis non curat lex.

If vested interests are small,
No heed is paid to them at all;
Unless they raise their voice and bawl,
Like those of beer and XXX:
De minimis non curat lex.

Thus everything now goes by size—
Political majorities,
The sheep and pigs that take a prize—
The reason need no man perplex:
De minimis non curat lex.

—*Journal of Jurisprudence.*