THE LEGAL NEWS.

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MYER'S FEDERAL DECISIONS.

The Decisions of the United States Supreme, Circuit and District Courts (no cases from the State Courts), on the following plan:

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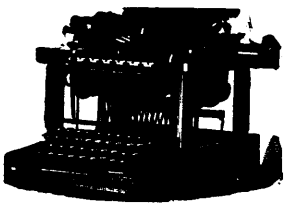

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The Legal News.

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The abuse of injunctions is undoubtedly more common in some of the states of the neighbouring republic than with us; yet the cases in which this proceeding has been resorted to for illegitimate reasons are far from rare, even here. The *Chicago Legal News* observes:— "There is no power possessed by the Courts that is so often and seriously abused as the power to issue injunctions. The issuing of an injunction may ruin the prosperous business of an individual or corporation, and yet there are judges who order them issued without careful examination and without notice to the opposite party. There ought to be something more than the affidavit of the complainant that his rights will be unduly prejudiced if notice is given to the respondents before the injunction is issued. Some judges will simply glance over a bill that has never been even before a master, see that the usual affidavit is attached, and sign the order for an injunction, which will tie up the business of the defendant, with the remark, "well, if there is anything wrong in this, a motion can be made to dissolve the injunction." The wrong is in granting an injunction in such a manner. A judge should never grant an injunction, unless, upon the exercise of a reasonable intelligence, it appears to him that a proper case is presented. Five minutes' examination of the complainant would often show that he had no cause for an injunction. An injunction is, so to speak, an aggressive writ. It takes hold of the property or thing and keeps it where it is, pending a hearing on the merits, and ought therefore not to be granted where doubtful questions of the law are involved. The ends of justice would be served by the exercise of greater care in the granting of injunctions."

Mr. F. Solly-Flood, Q. C., late Attorney-General at Gibraltar, has published a pamphlet to show that the long-accepted story of Prince Henry of Monmouth, and Chief Justice Gascoign, is a fable. The strongest point made by Mr. Solly-Flood is,that at the date of the story a summary committal for contempt, without trial by jury, was recognized to be contrary to law. The author gives a case of an actual contempt of Court committed by Prince Edward, son of Edward I. This is recited in a conviction of one De Breosa for a similar offence, when it is stated in the roll, "Idem Dominus Rex filium suum primogenitum et carissimum Edwardum Principem Walliæ pro eo quod quædam verba grossa et acerba cuidam ministro suo dixerat et hospicio suo fere per dimidium annum amovit nec ipsum filium suum in conspectu suo venire permisit quousque prædicto ministro pro transgressione satisfecerát."

The common version of the story referred to above reads, that one of the dissolute companions of the Prince of Wales (afterwards Henry V., A. D. 1413), having been indicted before C. J. Gascoign, the young prince was not ashamed to appear at the bar with the criminal, in order to give him countenance and protection. Finding that his presence had not the desired effect, he proceeded to insult the Chief Justice openly. Gascoign thereupon committed the Prince to prison, and Henry submitted to the order. The King, on being informed of what had taken place, remarked that both the firmness of the Chief Justice and the submission of the Prince were grounds of congratulation. It may be observed that under our Code of Procedure (Art. 7) there could be no doubt as to the power of the Court to commit, for it is enacted that "any person who, during the sitting of a Court or of a Judge, disturbs order, utters signs of approbation or disapprobation, etc., may be condemned at once to a fine or imprisonment, or both, according to the discretion of the Court or Judge." "Utters signs" is a curious expression, but the meaning is tolerably clear.

An instance of a retiring ministry exercising their appointing power after resignation occurred during the present summer. Mr. Hugh Cowie, Q. C., died after the resignation of the Gladstone Ministry, but before

they gave up the seals of office; yet his recordership was seized upon by them, and Mr. Willis, Q. C., was appointed in his stead. This anxiety to grasp the last fruits of office is contrasted by some of the English journals with the course pursued by the previous Conservative government. In February last, the Recorder of Liverpool died, before the late Conservative Government gave up their seals to the Queen—in fact, the news was handed to the Ministry on their arrival at Victoria, and before their departure for Osborne—but, although the best and most valuable recordership in the gift of the Government, it was decided to leave it to their successors.

CIRCUIT COURT.

MONTREAL, Sept. 27, 1886.

Before TORRANCE, J.

HUDON v. PLIMSOLL.

Lessor and Lessee—Contract binding the Lessee to make all repairs.

The obligation of the lessor to make the greater repairs may be departed from by the contract of lease.

The plaintiff, complaining of the want of the greater repairs in the house leased by him, asked for an order against defendant to make these repairs.

The defendant pleaded, among other things, that plaintiff agreed by his lease that the lessor should not be held to make such repairs.

PER CURIAM. The case is a hard one for the plaintiff, but the clause is explicit. Judge Mathieu has already decided the point. The authors, while admitting that the general rule is that the lessor should keep the lessee wind and water tight; that he should make all the repairs which do not fall to the lessee, say that such an obligation is only of the nature of the contract and may be departed from. Troplong; Echange et Louage, Tom. 1, no. 164-6; 3 Duvergier, Louage, no. 278; Laurent, Tom. 25, p. 117, no. 108, on C. C. 1720; 6 Marcadé, p. 443, on C. C. 1720. Here they follow Voet on the Pandects. Lib. 19, T. 2, no. 14. "Conducti actio est personalis bonæ fidei, quæ datur conductori . . . ad id, ut usus vel operae praestentur, et simul ea omnia, sine quibus commode quis uti nequit: quo in numero sunt instrumenta prædii elocati . . . et refectio necessaria aut restitutio ortiorum, fenestrarum, tectorum, similiumque vetustate vel aliter nimis corruptorum . . . *nisi conductor quotidianæ refectionis onus suis impendiis in se receperit*": &c. This is a hard case for the tenant, but hard cases are apt to make bad law. The tenant has made a bed for himself and should lie in it. Tel on fait le lit—tel on se couche.

Action dismissed.

LaRivière for plaintiff.

Laurendeau for defendant.

VICE ADMIRALTY COURT.

QUEBEC, Sept. 7, 1886.

Before ANDREWS, J., Deputy Judge.

STOCKWELL v. CARGO OF STEAMSHIP BROOKLYN.

Salvage—Claim for injury to property.

This was an action promoted by Mr. Stockwell, owner of the Island of Anticosti, for salvage services in connection with the cargo of the steamship Brooklyn of the Mississippi and Dominion Steamship line, for which he claims $2,000.

In November last, the Brooklyn, when on a voyage to Quebec, was stranded on the east coast of Anticosti and became a total wreck. Shortly afterwards, an agreement was made between the agents of the vessel and Messrs. Farquhar, Larder and others, practical salvors of Halifax, under which the latter agreed to proceed to the wreck and save the cargo, their remuneration being fifty per cent. of the net proceeds. The salvors set out in a wrecking steamer, the "Earl of Dufferin," arrived at the wreck about the beginning of December and began operations. From the position of the Brooklyn, these operations involved diving for the cargo in a cold and inclement season, and were necessarily attended with difficulty and danger, as the proof abundantly shows. During their labors, the "Earl of Dufferin" was driven ashore by a violent gale and totally lost. There was no insurance on the vessel. After this loss, the salvors continued to save the cargo and to store it on the beach, some above and some below high water mark. As the season was far advanced, they telegraphed to Halifax for

a vessel to take them off the island, and a steamer was sent, which had to put back in distress. Being thus left to their own resources, and obliged to pass the winter on the island, they built a hut, partly with wreckage from the "Dufferin" and partly with fir trees growing in the neighbourhood. Their provisions were procured from parties on the island, and they used as fuel coal from the "Dufferin." It is needless to say that the winter was passed in great hardship, which was certainly not alleviated by the conduct of the plaintiff's employees on the island. In the spring, they again resumed operations on the wreck, and about the middle of May last, having hired a schooner, brought their salvage to Quebec, where it realized a net sum of $2,800. Of this, by their agreement, they were entitled to half, which, of course, in no way remunerated them for their time and hardship. About twenty-four men were engaged in the work.

On the arrival of the schooner at Quebec the cargo was seized by Mr. Stockwell, on a salvage claim for $2,000, and to meet this claim, the proceeds were lodged in court.

PER CURIAM. It is not pretended by Mr. Stockwell that he or his servants contributed in any way to the saving of this property. His pretension is that he is entitled to reward by way of damage for the use of his beach and island and for the trees which the sailors used in making their winter hut. These pretensions plainly establish no salvage claim at common law, but it was argued that, under the Dominion Wrecking act, damage occasioned to property was assimilated to salvage, and that under the provision of this statute, the plaintiff should recover them as such. Granting this to be the case and that this court has jurisdiction—a point on which under the view I am about to take I pronounce no opinion—I still hold that the plaintiff's case fails, for the simple reason that he is not proved to have sustained any damage whatever. Merely placing a few tons of cargo on a rocky beach, miles away from any settlement, has caused him no injury, nor has any witness in the case ventured to affix a money value on the trees taken by the salvors to build up their refuge during the winter. Mr. Stockwell has not been rendered a penny poorer by the salvage operations in question, and it was never intended by the Act that the mere fact of the ownership of a coast, on which salvage operations were being executed, should entitle such owner to compensation. I accordingly dismiss Mr. Stockwell's action with costs, and pronounce the salvors entitled to remuneration according to their agreement.

Action dismissed.

Pemberton & Languedoc for F. W. Stockwell.

Cook, Q.C., Pentland and *A. H. Cook* for the salvors and owners of the Brooklyn.

FEES AND PRACTICE.

A learned and able advocate, lately sent on a foreign mission, after a fine career in practice, in which he acquired a fortune, once told me that he began by low fees and guaged his charges in proportion to the ability of the client to pay, and the benefit derived from his services. His method of stating his bill was quite taking. To the question of "How much will that be?" he would say; "It will depend very much on the work required, say $50 a day, with one day in advance for looking up the facts before trial." "I will give you a receipt for a part of it now if convenient." Thus he decided for the halting client and settled the whole matter; striking while the iron was hot and pleasing his customer. Ten dollars for justice cases, and $30 per day for the Circuit and $50 for Supreme Court, with extra for outside cases, were his first fees in a city practice—a fair rate for young lawyers.

In fixing counsel fees he was equally skilful. "We'll make it $10—if that will be about right!" or "You may write me a check for a hundred," or "You may leave me $5, if you have it handy," in such a mild form his money would be cheerfully paid over and he never failed to treat the subject with delicate courtesy—leaving room to revise his charges if required by a stubborn client, but generally saying to such, "O, yes, certainly, you can hire such lawyers, but I am too busy at present to take very low priced practice." This is an instance of a wise man's course. Law practice opens many doors of paying

business outside of court rooms—he took advantage of them and bought and sold property. "I have never realized," said Judge Shipman, "what a help it is to have a good counsel in matters of deeds and settlement of business matters until yesterday. Such men are valuable partners in a firm's business. I have just settled an estate or found it all settled by a joint deed which left a fine property to the wife without any court proceedings—simply by looking ahead in season."

These two men have grown eminent and well-off by kind, fair, and ingenious treatment of clients—many others drive away custom by overcharging and carelessness. If the example of the first named is a lesson, it is certainly a wise one. But every one must use his own weapons. One may be small like Spurgeon—then let him be as earnest, and he will approach this wonderful speaker. Another may be plain and practical, with few gifts of oratory or eloquence—such men are more useful as judges or corporation counsel. Still another may be poor and just struggling for a foot-hold—let him use the ladder of integrity, for it will soon bear him higher, while the quality of his work, the extent of his acquaintance, must influence his business. It may be he can form in the procession by joining a firm, and watching for an opening. If ingenious and determined, that will help him. Let him make an honest measure of his ability and go forward on the right road in confidence.

Practice is always precarious, for a few years at least, and never afterwards, if one is prepared for it. It is the beginning that counts in law, letters, or farming. As a tree grows larger from all branches, so law business increases by the good name given you by your clients. Live and labor for a good name and you will find it a fee, a retainer, and a fortune. Don't give up too easily. In your section—in the great Northwest, are firms forming contracts to make, wills to draw, men to defend, money to handle. Mingle with the world with frankness—the friendly will have friends everywhere—and success depends on how many you can grapple to you with hooks of steel. Every man that gives you a good name is a client.—*J. W. Donovan.*

LORD CHIEF JUSTICE COLERIDGE ON THE HOUSE OF LORDS.

At the Cutlers' Feast, recently, Lord Coleridge, C.J., responding to the toast of the "Houses of Parliament," is reported to have made the following observations:—I thank you heartily for the gracious and cordial reception which you have been pleased to give to my name. But why I have been selected on the present occasion to return thanks for the toast which the Master Cutler has assigned to me, passes my imagination to conceive. I have always understood that the House of Lords represents, or is supposed to represent, what is called the principle of hereditary legislation. Now what exactly that principle is I will confess to you that from a very early period of my life I have never been able to comprehend, unless, indeed, it does rise to the dignity of a principle that persons should be intrusted with the lawful and sacred power of making laws for one of the greatest and most magnificent empires upon which the sun has ever shone, not only when nobody knows that they are fit for it, but when everybody oftentimes knows that they are perfectly unfit for it. But whatever the principle may mean, I am no example of it. For in this single respect I am like Burke. I was not, as he said of himself, "Swathed and dandled into a legislator." I did not inherit the peerage, and I have gathered that a large section of the constituency of this great town of Sheffield is prepared to abolish the House of Lords, and, I suppose, me with it. Furthermore, as during the thirteen years which have passed away since I first entered into that ancient and august assembly, I cannot remember one single solitary occasion upon which, upon any party and political question, I have had the good fortune to vote in the majority in that House, and as for five years before that time I was the law officer to a government which had not the good fortune to agree with the majority in that House either, I cannot be expected in candor to speak with fanatical or even enthusiastic admiration of the course which their Lordships have thought fit to pursue in the last twenty years. But I am

told that politics are unknown in these walls. I believe it because I am told it. I believe it in faith. Faith is the substance of things hoped for; faith is the evidence of things not seen; and therefore I face the situation, and I am to return thanks for a most ancient and venerable assembly of which I am a very recent and a very obscure member.

What can I say? Well, one thing I can say with perfect truth. In these days of change and flurry, when the great wave of popular opinion is ever heaving and never continuing in one state, it is a comfort to some minds to be able to contemplate something fixed, immovable, unchanged, unaffected by the shock of circumstances or the lapse of time, which, braving the respectful, sometimes the disrespectful, curiosity of the nineteenth century, stands with exactly the same coolness and courage with which it confronted the inquiring reverence of the thirteenth and fourteenth centuries. It is certain that in that time empires have risen and have fallen; dynasties have waxed and waned in this country; religion has been changed more than once; one king has lost his head upon the scaffold, another has been dethroned and punished by act of Parliament; the science of political economy has been born, and from all I can learn, seems about to die. The franchise has been revolutionized. The House of Commons has been reformed again and again, and almost every municipal institution in the country has been either created or at all events recreated.

Two institutions, and only two, remain as they were 500 or 600 years ago—the House of Lords and the Corporation of London. Alas, alas, for the instability of human affairs—the Lord Mayor himself has been nibbled at; and the House of Lords has been told by him whom I follow, Sir Michael Hicks-Beach, in calling the most powerful statesman of the age, that he is going to think three times before he abolishes it. It is pretty certain that, if not to him, at any rate, to some one, sooner or later, will go forth that mandate—"mandate," is my noble friend's word, and I take it with great satisfaction—that mandate to which all politicians of all sides bow down, to subject the great assembly for which I am returning thanks to that process of inquiry and of subsequent change which it does seem that every human institution of this country in this century is doomed to undergo.

I have not disguised—why should I disguise?—that I am of opinion, with thirteen years' experience of its working, and of the renewed flow of things that goes on all around us, that it cannot be expected that the House of Lords, any more than any other institution in this country, should be saved forever from change and reconstruction. But I will be equally frank, and I would say that I do hope that it will be dealt with in the way of change and reconstruction, and not by way of abolition. In every free country, I believe—I am sure in most—it is found necessary, or it is believed to be necessary, to have a second Chamber in the legislative machinery of the State, and I am certain that in the English House of Lords there is the most admirable material for the reconstruction of the Chamber.

The English House of Lords never did want, and it does not now want grand commanding ability. A debate in which—to go no further than four names—a debate in which the Duke of Argyll, Lord Salisbury and Lord Selborne, and the Bishop of Peterborough mingled, is a thing, let me tell you, worth a man's while to go many miles to listen to; and we find that still to great men of all sorts, to great contractors, to great brewers, to great bankers, to great men of commerce, to great soldiers and sailors, and may I say, excluding myself, great lawyers, not only to men who are remarkable for nothing but the number of acres and the quantity of stock, or consols they may own, the position of a seat in the House of Lords is still an object of ambition; and I would undertake to say, speaking with all reverence in presence of some of the foremost men in the House of Commons, that a man might now take up fifty men out of the House of Lords who, man for man, would be the equals in ability, with perhaps one enormous exception that will occur to every one, on whichever side of politics he may sit—absolute equals of any fifty men in the House of Commons. It is not in eloquence, it is not in

learning and ability, it is not in knowledge, it is not in high character and noble ambition—nay, it is not in a certain sense in currency with affairs that the House of Lords is deficient.

The House of Lords has lost its weight in the country, if it has lost it, from other causes—because, unfortunately, a vast majority of the peers never come near the House of Lords at all, and never take any part in its business; because those who do take part, come there because they choose to come, and are responsible to no one but themselves, and it is impossible with all their ability that they should not, to some extent, lose touch of the people and get out of harmony with the times. But let this be altered. Let men sit in the House of Lords because some one thinks them fit to sit there; let them be sent there by some system of choice, some mode of election—I do not say necessarily directly from the people, but speaking roughly and off hand, and, I pray you remember, after dinner, by some such system as is so successful in the American senate, and I will venture to say that the English House of Lords would not be only the most ancient, the most venerable, the most illustrious body, but one of the most powerful, and the most popular legislative assemblies which the world has ever seen.

THE LEGAL ASPECTS OF THE STRIKES.

The fight between capital and labor bids fair to open up a field of litigation which may prove a rich harvest for the lawyers. The profession, which is said to profit by the misfortunes of others, may find some compensation for the dullness of the past in the prospect of an increased business, when railroad companies will be brought into the courts to answer for delays and damages in the shipment of freight; when manufacturers will be called to account for the failure to supply their customers with goods, and when the general complaint will be breach of contract, and the general defence the strike.

From the few cases which have been reported on the subject of railroad strikes, the law may be summed up as follows:

If the damage or delay is caused by the acts of the strikers in the employ of the company, the company will be liable (84 Ill. 36; 20 N. Y. 48; 67 Ind. 188; 34 Hun, (N. Y.) 501); if it is caused by the acts of outside parties, the company will not be liable; if it is caused by the acts of strikers, employees of the company, though assisted by outside parties, the company will be liable (34 Hun, 50); but if it is caused by the acts of strikers after they are discharged from employment, the company will not be liable (84 Ill. 36; 10 Ill. App. 295.)

The acts must be violent and irresistible; for if the company could themselves, or with the assistance of the authorities, have prevented the loss or delay, they will still be liable (84 Ill. 36; 65 Ind. 188).

In *Geisner* v. *Lake Shore &c., Ry. Co.*, 34 Hun, 50, it was held that the defendant was liable in damages for delay in the transportation of goods caused by a strike of its employees, though assisted by outside persons. In the opinion the following cases are referred to:

In *Weed* v. *Panama R.R. Co.*, 17 N. Y. 362, an action for damages sustained by a railroad passenger by reason of the wilful act of the conductor in stopping the train, and detaining it over night, it was held that the company was under contract to transport the passenger with reasonable dispatch to his place of destination, and that the plaintiff could recover, notwithstanding the act of the conductor in stopping the train was wilful and that he was acting within the scope of his employment.

In *Blackstock* v. *N. Y., &c., R. Co.*, 10 N. Y. 48, an action for damage for delay in the carriage of freight caused by a strike of the engineers of the defendant company, the company was held liable.

In *Indianapolis, &c., R. Co.* v. *Yuntgen*, 10 Ill. App. 295, it was said, that a "common carrier is only required to exercise due care and diligence to guard against delay, and where its servants are overpowered by a mob, and prevented from forwarding its trains, it will not be held responsible for a delay, provided it omits no reasonable effort to secure the property in course of transpor-

tation; that for a loss occasioned by the refusal of the company's servants to do their duty, the company is responsible; but for a delay resulting solely from the lawless violence of men not in its employ, the company is not responsible." In this case, the court held plaintiff was not entitled to recover, as it appeared from the evidence upon the trial that but a small portion of the strikers had been in the employ of the defendant company, and that they left their employment and joined the strike, and the great body of the strikers were men not in the employ of the company.

In *Pittsburg, Fort Wayne & Chicago R. Co.* v. *Hazen*, 15 Am. Rep. 222, the rule was laid down that a common carrier is excused for delay in the carriage of goods when the delay is caused solely by the violent and irresistible interference of strikers recently discharged from the carrier's employment, and it was stated that for a delay resulting from the refusal of the employees of the carrier to do duty, the carrier is liable.

In *Pittsburg, &c., R. Co.* v. *Hollowell*, 32 Am. Rep. 63, an action against a common carrier for delay in receiving and carrying live stock, the defendant answered that the delay was caused solely by reason of the fact "that although the defendant was prepared to receive and carry goods, an armed multitude of people in rebellion against the laws of the state, which neither the defendant nor the civil authorities of the state was able to control, by force and arms drove away the engineers and firemen operating the defendant's engines and cars, thus preventing defendant from receiving and carrying plaintiff's live stock." On demurrer the answer was held sufficient. The reply alleged that the "cause of such pretended insurrection was an unjust and oppressive reduction by the defendant of the wages of its employees, which induced them to strike and refuse to work, and to assemble in a peaceable body to demand a restoration of their former rate of wages, but without offering any resistance to the civil authorities;" and this was held insufficient, as was also a reply alleging that "such insurrection was composed solely of employees of the defendant, who peaceably and without arms or violence, and on account of an unjust and oppressive reduction by the defendant of their wages, refused to continue in the defendant's employ until their former rate of wages was restored, and who had peaceably assembled in a small body to petition therefor."

The most serious aspect of the strikes is the interference of the strikers with the rights of their employers, and their attempts to prevent and obstruct the employment of labor. The courts have held that such interference is unlawful, and that employers are entitled to be protected from acts of violence or threats of intimidation.

In an action for an illegal arrest (N. Y. City Ct., 18 C. L. J. 200), where defendant had arrested the plaintiff, a striking cigar-maker doing picket duty, for intimidating another maker from going to work, the court charged the jury as follows: "An orderly body of men have the legal right to meet and discuss any question concerning their social or pecuniary welfare, and take any action in respect thereto which they deem beneficial, so long as it does not involve or tend to create a breach of the public peace; that the plaintiff had the legal right to decline to work for his employer, unless the latter consented to pay the wages the former demanded; that he had the right to invite others to join him in the course he had determined to pursue, to accost workmen in the street or elsewhere, and invite them to follow his example, or join the union; and if, in the exercise of these rights, he was wrongfully assaulted and maltreated by the defendant, he is entitled to a verdict in such sum as will compensate for the wrongs done. But if he undertake to enforce his rights in an illegal manner, and used violence, or threatened workmen who declined to think and act as he did, the defendant, as a police officer had the right to protect the workman so threatened, and had the power to prevent any threatened breach of the peace, and to use whatever force was necessary to accomplish this object. But if the officer used unnecessary violence, he is liable therefor as an abuse of authority." — *Weekly Law Bulletin.*

INSOLVENT NOTICES, ETC.

Quebec Official Gazette, Oct. 2.

Judicial Abandonments.

James Bailey, merchant, Three Rivers, Sept. 29.

Louis Joseph Onésime Brunelle, trader, Three Rivers, Sept. 22.

Pascal Dauplaise, builder and contractor, St. François du Lac, Sept. 29.

Pierre A. Labrie, trader, Montreal, Sept. 22.

Timothy Lamb Louthood, trader, Three Rivers, Sept. 27.

Charles Hamilton Taber, trader, Beechgrove, Sept. 28.

Curators Appointed.

Re Auguste Laberge, Rimouski.—Edouard Bégin, N. P., Quebec, curator, Sept. 23.

Re Pierre A. Labrie, Montreal.—S. C. Fatt, Montreal, curator, Sept. 28.

Re Prosper Milot, Three Rivers.—Kent & Turcotte, Montreal, curator, Sept. 29.

Dividends.

Re T. H. Malette, Montreal.—Final dividend, payable Oct. 19, J. C. Marchand, Montreal, curator.

Re A. Marchand & Co., Montreal.—Second dividend, payable Oct. 19, Kent & Turcotte, Montreal, curator.

Re J. B. G. Perrault, hardware dealer, Montreal.—Dividend, David Seath, Montreal, curator.

Separation as to property.

Dame Philomène Duquette vs. Pierre Edmond Bourdon, trader, Montreal, Sept. 15.

Dame Josephine Lavoie vs. Godfroy Barbeau, trader, Ste. Geneviève, Sept. 10.

Dame Rosa Maclear vs. David Burke, insurance agent, Montreal, Sept. 24.

Dame Virginie Richard vs. Théophile Beaudoin, trader, Nicolet, Sept. 15.

Dame Agnes Terrault vs. Jean Baptiste Gilbert Perrault, trader, Montreal, Sept. 13.

Quebec Official Gazette, Oct. 9.

Judicial Abandonments.

Cyprien Lemaire, trader, Ste. Madeleine, Sept. 27.

Olivier Proulx, carriage-maker, St. Guillaume d'Upton, Oct. 5.

L. N. Simoneau, Arthabaskaville, Oct. 1.

Curators appointed.

Re L. Nemese Bernatchez, Montmagny.—H. A. Bedard, Quebec, curator, Sept. 27.

Re A. T. Constantin & Cie., Quebec.—H. A. Bedard, Quebec, curator, Oct. 2.

Re Arthur M. Gingras, shirt manufacturer, Quebec.—A. W. Bisson, Quebec, curator, Oct. 1.

Dividends.

Re Donat Blondeau, Kamouraska.—Second and final dividend, payable Oct. 21; H. A. Bedard, Quebec, curator.

Re G. N. Brown, Arthabaska.—First dividend, payable Oct. 26; Kent & Turcotte, Montreal, curator.

Re J. W. Lamontagne & Cie., Montreal.—Final dividend, payable Oct. 26; Kent & Turcotte, Montreal, curator.

Separation as to property.

Dame Marie Angèle Ducharme vs. François Xavier Thesserault, builder, Lachine, Sept. 25.

Dame Angélique L'Espérance vs. Hubert Morel, builder and trader, Montreal, Aug. 25.

Dame Adéline Melançon vs. Urbain Gélinas, trader, Three Rivers, Sept. 30.

Dame Marie Joséphine Tanguay vs. Georges Elie Amyot, merchant, Quebec, Oct. 7.

GENERAL NOTES.

SINGULAR FORM OF PERSECUTION.—A scoundrel of the first water received some part of his deserts yesterday at the Central Criminal court. Mr. Edward Rowdon, described as a barrister-at-law and as an uncertificated bankrupt, was sentenced to eighteen months' imprisonment for maliciously publishing a false and defamatory libel about the Hon. Violet Lane-Fox. The offence complained of was the last of a long series of annoyances to which Miss Lane-Fox has been subjected by the prisoner. His persecution dates from some years back, and it has been continued with scarcely an intermission since. Miss Lane-Fox has been followed about from place to place, has been addressed again and again in public, has received insulting letters from the prisoner, and has been left at rest only while the prisoner has been from time to time in jail, a welcome deliverance which she will once more enjoy for the next eighteen months at all events. The method of annoyance which Rowdon employed was to profess ardent love for Miss Lane-Fox, and take every opportunity of forcing his attentions upon her, disgusting as he well knew them to be. On one occasion he contrived to obtain an introduction to her. He came, as an uninvited guest, to a reception at Lord Salisbury's, requested his Lordship to introduce him to Miss Lane-Fox, and had his request granted as far as it lay within his involuntary entertainer's power. The impudent fellow was brought up to be introduced by the unsuspecting master of the house, but, as Miss Lane-Fox took no other notice than by at once turning her back upon him, he gained nothing by the move. The offence for which he was tried yesterday was in keeping with the rest of his proceedings. Having failed in thrusting himself upon Miss Lane-Fox, and having been already once imprisoned in the course of his persecuting attempts, he had resort to a new trick, and published a statement in the *Morning Post* that a marriage had been arranged between himself and the young lady. This was a gross insult there could be no doubt whatever. Mr. Justice Day left it to the jury to say whether it was not also a libel for which the author could be punished, clearly indicating his own opinion that it was. The jury, as we might expect, took the same view as the presiding judge, and the prisoner was duly sentenced to a punishment which he has richly deserved. The cure will probably prove effective. If it does not, it must be repeated as often as the need recurs.—*London Times.*

At the opening of the term of the Court of Queen's Beuch at Sherbrooke on the 1st instant, on the entrance of Judge Brooks, the Sheriff rose and begged to inform the Court that on the instruction of the Attorney-General he had summoned no jurors. He had the honor of handing the judge a pair of white gloves as customary on such occasions. His Honor remarked that while it was generally believed that history repeats itself, it is not often that the repetitions are so frequent. This was the second consecutive term on which no jury had been summoned. It is a matter of congratulation that there should be such an absence of serious crime. He had been much impressed with the orderly state of affairs during the exhibition. Thousands of people had attended; and yet on the two occasions on which he had visited the grounds he had seen no one angrily excited or under the influence of liquor.

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