

crimes committed by her in the presence of or under the coercion of her husband, and to report what changes are desirable. The terms of reference are sufficiently wide to enable the Committee to propose amendments of the law which will preclude the defence of coercion where, in fact, it does not exist, and at the same time to protect the woman in those cases where the marital influence is strong enough to negative criminal intent.—Law Times (Eng.)

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### Correspondence.

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The Editor,  
Canada Law Journal,

Dear Sir:— Re Rule 248—Notice of Trial.

Rule 248, clause "a." requires that ten days' notice of trial shall be given before entering an action for trial, except in Toronto cases. I find differences of opinion as to the meaning of this rule. My own interpretation is that it means that, before entering an action for trial, a full ten days' notice of trial must have elapsed. I have always acted upon this in practice, but I find that, in the counties of Bruce and Grey, a different practice prevails and a different interpretation is placed on the rule by the Court officers. The marginal note in *Holmsted* upholds my own view, as well as the notes on page 711, in which it is stated that the action may be entered "after the lapse of ten days from the giving of notice of trial." Practice should be uniform, and apparently the matter has never been the subject of a decision. A note in the *Canada Law Journal* would be interesting to a number of practitioners.

Yours truly,

C. J. MICKLE.

Clause (b) of R. 248 does not appear to us to require that 10 days must have elapsed after service of notice of trial before an action can be entered for trial. The 10 days in clause (a) and the six days in clause (c) of the Rule we think may run concurrently. See *Mayfair Investments v. Somers*, 150 W.N. 95.—ED. C.L.J.