JUDGES' SALARIES.—We noticed in our first number the intention of the Government to increase the salaries of the English County Court Judges, and we now learn, from our late files, that an order of Government has issued, by which fifteen of the Judges have been selected to receive £1,500 st'g. a-year each—the *maximum* salary being £1,500 sterling, and the *minimum* £1,200 sterling,—besides an allowance for travelling expenses.

ARTICLE ON ATTACHMENT—In preparing the Division Courts' Article on "Attachment," we have availed ourselves of a very valuable Paper by Judge Gowan, issued some years ago, for the information of Officers in his county. The learned Judge has therein entered fully into the duties of Officers, and pointed out the mode of procedure under the Act of 1850.

DUTIES OF CORONERS.—Limited space must be our apology for not inserting an appropriate article "On the Duties of Coroners." Sound practical directions, for the guidance of coroners, are contained therein, and we will give it in our next issue.

SURROGATE COURT.

(Notes of English cases in relation to)

PRIVY COUNCIL—*Cutto v. Gilbert—July 7th*, 1854—[On Appeal from the Prerogative Court of Canterbury.]

Will—Revocation—Parol evidence of subsequent Will which is not forthcoming—Force of words "last Will."

A. duly executed a Will in 1825, leaving B. his sole executrix, and this was the only Will found at his death in 1853. G., a party hostile to the Will, alleged that, in 1852, A. executed a subsequent will, and proved this by witnesses, who recollected seeing the will, but could speak to none of its contents, except that it began "this is the last will and testament of me, A." This will was not found after A.'s death.

Held, reversing the Judgment of the Prerogative Court, that the *onus* lay on G. to prove that the later will expressly revoked the former, and was of different contents; that the mere words "this is the last will" were not of themselves sufficient for that purpose; and that, as the evidence failed to establish this, the former will remained valid.

No authority lays down the proposition, that the execution of a subsequent will destroyed *animo revocandi* by the testator, the contents of which are not known, revokes a prior will. On the contrary, in the case where a revocation has been held to be effective, there has been proof of a difference of disposition.

To revoke an existing instrument by parol evidence that another will has been executed, and by such evidence alone, *though the law may admit of that course of proceeding, is one* attended with danger, and consequently the oral evidence produced must be strong and conclusive.

After reviewing the authorities bearing upon the case, viz.: *Helyar v. Helyar*, 1 Lee, 511; *Moore v. Moore*, 1 Phil. 375; *Passey v. Hemming*, 1 Phil. 439; *Henfrey v. Henfrey*, 2 Curt. 468; *Plenty v. West*, 1 Rob. 264—The Right Hon. Dr. LUSHINGTON said, "Now let us consider how these authorities bear upon the present case. There is not one authority which lays down the proposition that the execution of a subsequent will, destroyed *animo revocandi* by the testator, the contents of which are not known, revokes a prior will. On the contrary, in the case where a revocation has been held to be effective, there has been proof of a difference of disposition. This alone induces us to doubt the correctness of the judgment in the Court below in the case now under consideration, and it appears to us unsound. That judgment is mainly based on the evidence, that the latter paper contained the words "this is my last will and testament." We are of opinion, that these words do not import that the paper contained a different disposition of the property, and that the mere fact of calling it by such words cannot possibly render it a revocatory instrument. We think that the interpretation put upon these words by Lord Brougham, in his judgment in *Stoddart v. Grant*, 1 Macq. H L. 163, is the true meaning to be attributed to them.

DIVISION COURTS.

(*Reports in relation to*)

ENGLISH CASES.

REGINA *v.* MYOTT.

Felony—Acting under false pretence of the process of the County Court stat. 9 & 10 Vict. ch. 95, sec. 57.

The stat. 9 & 10 Vict. c. 95, s. 57, which enact. that every person who shall act or profess to act under any false colour or pretence of the process of the County Court, shall be guilty of felony, is confined to the use of false instruments, and does not apply to the mere verbal assertion of authority.

Therefore, where the prisoner had obtained payment of a sum in discharge of a debt and costs from a defendant (who had been previously duly served with a summons in the County Court), by pretending that he was an officer of, and authorized by the court to receive it, it was held, that the offence was not made out.

The indictment alleged that the prisoner, John Myott, on the 30th day of June, A.D. 1853, feloniously and unlawfully did act under a certain false colour and pretence of the process of the County Court of Warwickshire, holden at Birmingham, against the form of the statute, &c.

In the second count, the charge was that the prisoner *professed* to act.

The third count alleged that the prisoner feloniously and unlawfully did act under a certain false colour and pretence of the process of the County Court of Warwickshire, holden at Birmingham, to wit, under the false colour and pretence of being authorized and empowered to issue process (to wit) an execution in the said County Court, against one John Wainwright, at the suit of one John Kingstone, for the recovery of the sum of £1 7s. and costs, against the form of the statute, &c.

The fourth count was for *professing* to act, as alleged in the third count.

The indictment was framed under the latter part of the 57th section of the 9 & 10 Vict. c. 95, which enacts that "every person who shall forge the seal or any process of the court, or who shall serve or enforce any such forged process, knowing the same to be forged, or deliver or cause to be delivered to any person any paper falsely purporting to be a copy of any