the reign of Charles II., and by degrees England and her colonies are slowly and surely reverting to the ante-feudal principles of succession, and not unnaturally so, for those principles rest on the dictates of natural justice. Another notable instance of reversion to the original type is the tendency which has of late manifested itself in English-speaking communities to assimilate the succession to lands with that of goods and chattels. Here, again, it is no new method which has been introduced by our Devolution of Estates Act, but the primitive and original method prevalent among our ancestors. In spite of objections by those lawyers opposed to any change in a system to which they themselves have been accustomed, this revolution has been carried out both in Australia and the English-speaking parts of Canada with the almost unanimous consent of the community. It is somewhat curious that in the United States there has as yet, we believe, been no similar movement.

There, however, we find there is a decided tendency in some quarters to admit women to a much more prominent share than for many years they have been permitted to enjoy in public affairs. This too, if we mistake not, is also a tendency to revert to a former and a more primitive rule. It is quite a mistake to suppose that the present almost total exclusion of women from public positions of dignity and trust was the original rule with our ancestors. Many notable instances may be found in Anglo-Saxon history of women holding positions of great public importance—whether in the Church, as in the case of Hilda the celebrated abbess of Whitby; or in the State, as in the case of many women of rank who were admitted to the councils of the sovereign, and even presided at courts of justice held within their territorial domains. Ideas of this kind are of slow growth, and the experiments which are being made in some of the United States in the way of admitting women to practise and administer the law will no doubt be watched with interest.

EVIDENCE UNDER SUMMARY CONVICTION ACT.

A judgment which will interest those of the profession who practice in Magistrates' courts was lately delivered by Mr. Justice Rose, in the Common Pleas Division, in the case of *Reg.* v. *Hart*, decided last February.

The question the learned judge had to consider was whether, on a prosecution under the by-law of a municipality creating certain offences and punishing delinquents by fine and in default of payment of the same with imprisonment, the defendant was a competent and compellable witness. It was urged, in support of the conviction in this case, that the offence charged, not being a crime, R.S.O., cap. 61, sec. 9, applied, making the defendant a competent and compellable witness. In reply, it was urged that the offence, being punishable by fine, and, in default, imprisonment, was a crime, and that therefore sec. 9, cap. 61, R.S.O., did not apply. The learned judge took the latter view, and holds that wherever an offence is created by any statute, and the party committing it is punishable by fine, and, in default, imprisonment, such person is not a competent witness on his own behalf, nor can he be compelled by the prosecution to give