

this reason I believe the maxim cannot apply and should not have been dragged in.

Whether Lord Justice Moulton's obiter dictum, in so far as on principle it would exclude all cases of traffic from the operation of that rule of evidence, will be adopted, remains to be seen.—*Law Magazine and Review*.

---

The origin of a well-known "dog Latin" phrase may not be very well known, and for the information of those who do not know it, and to recall it to those who do, we give the following extract from a book entitled "Authentic Letters from Upper Canada," by T. W. Magrath, published in Dublin, 1833. The scene is laid in York, now Toronto. Mr. Magrath writes as follows:—

"A writ against a debtor liable to the law of arrest, was put into the hands of one of our sheriffs—a fat and unwieldy person—to whom the debtor was pointed out, and finding himself hard pressed by the sheriff (who was well mounted) made off for a morass, into which he dashed, laughing heartily at his pursuer. Now the puzzle to the sheriff was how to make a proper return on the writ—he could not return "non est inventus," for he had found his prey; he could not return "cepi," as he had not succeeded in the capture. So after much deliberation, he made out the return "non est comeatibus in swampo."