claims of the attorneys who prosecuted the recent suit of the Fitzgerald-Mallory Company which resulted in a judgment of some $300,000 against the Missouri Pacific Railroad Company. The firm of attorneys in this case attempted to file an attorney's lien in the Supreme Court for $150,000 in payment of their services. The claim was referred to a special master for investigation and report. Before the special master each of the two parties were allowed six witnesses to give expert testimony as to the justness of the charge. The following are the sums at which the twelve legal experts valued the services which the plaintiff attorneys had rendered: J. W. Deweese, $150,000; J. M. Woolworth, $150,000; N. K. Griggs, $120,000 to $150,000; G. M. Lamberton, $100,000; L. C. Burr, $150,000; N. S. Harwood, $100,000 to $150,000; John M. Thurston, $30,000; G. W. Ambrose, $35,000 to $45,000; H. J. Davis, $40,000 to $45,000; W. F. Bechett, $35,000 to $40,000; S. J. Tuttle, $50,000. The doctors as usual disagreed, and the special master brought in an estimate of $120,000 as a fair price for the work of which the successful litigants had reaped the benefit.

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THE *Times*, in a recent article, points out that the success of the Commercial Court seems assured, for in the very short period in which it has existed—a small fraction of the legal year—399 summonses of various kinds had been heard, and most of them were the equivalents of several summonses in an action travelling by the ordinary judicial high road. Of the 399 applications, 150 resulted in orders to transfer to the commercial list, forty in refusals. The other 209 consisted of applications for directions, &c., in which the judge at an early stage got seisin of the matters in dispute, stated how things were to be put in train for trial, and took care that there was no futile nonsensical skirmishing before the decisive battle was fought. One hundred and thirty one cases have been appointed for trial, an amount which, in view of the very short time in which the Court has been at work, and the fact that the total number of defended actions, big and little, tried in London and Middlesex by all judges does not much exceed 1,200 to 1,400 a year, is considerable. Ninety-seven causes, some of them of great magnitude and of moment to many others than the plaintiff and defendant, had been tried, and twenty-six had been settled, for the most part through the intervention of the judge. It would be interesting to compare with these figures the entire business of the London Chamber of Arbitration, which was to supersede in commercial cases the ordinary tribunals of the country.

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THE curious case of Rogers v. The State, Supreme Court of Arkansas (1894), 29 South Western Rep. 894, is mentioned in the *University Law Review*. On an indictment for murder, the prosecution, desiring to prove that the defendant had filed a motion for discontinuance at a former trial on account of the absence of material witnesses, called the trial judge presiding at the present trial, as witness against the prisoner, and he testified to these circumstances. Afterwards, being of opinion that the evidence was incompetent, he excluded the evidence which he had given as a witness. The Appellate Court held that, although no partiality or wrong intention was shown, this was an error, especially since, under the constitution of the State forbidding judges to charge on a question of fact, it amounted to an expression of opinion; and the error was fatal to the verdict.