Dealing with the last argument first, we can only say that in our opinion the difficulties in reconstituting the House of Lords (and that it must be reconstituted is admitted) will be found to be far greater than would have been the difficulties of amending the now withdrawn Bill. We quite agree that original and appellate jurisdiction should be kept distinct as far as possible; but it would be far easier to accomplish this with our present materials than to frame a "Supreme Court of Judicature," regulated by statutes, which is at the same time to be subordinate to a court regulated by its own standing orders. The grievances of Scotland and Ireland might surely be remedied by making certain Scotch and Irish judges, or ex-judges, "*ex-officio*" instead of "additional" judges of the Imperial Court of Appeal (*see* sec. 6 of the Judicature Act, 1873). The sister countries would then have a right to be represented on the judiciary, and it would not be dependent on the pleasure of the Crown whether judges of their nation should be appointed or not. As to breaking with the past and the "inherited traditions of centuries," we can only say that, just for once, we confess to a wish to break with the past; and if we are either to sacrifice our Supreme Court of Judicature to the House of Lords, or the House of Lords to the Supreme Court of Judicature, we prefer to make the latter sacrifice. A reference or two to the Act of 1873 will show our meaning. The title must go, for the court will no longer be "supreme." Sec. 54 must go, for it would be absurd for judges not to be allowed to sit on appeal from their own judgments, in one part of Westminster Hall, whereas the Lord Chancellor might do so in the House of Lords as often as he chose. The whole framework of the Act of 1873 must go for a similar reason, unless, indeed, the words "High Court of Parliament" can be inserted in the 3rd section. Otherwise we continue the anomaly of a court regulated by statute being overruled by a court regulated by its own standing orders, and whose procedure no statute, from the nature of its constitution, has ever yet controlled. Add to this, that the matter is *res judicata* (for it cannot be too carefully borne in mind that the appellate jurisdiction of the House of Lords at present stands abolished by sec. 20 of the Act of 1873), and that the Bill has been withdrawn without argument and at the suggestion of an irresponsible committee, and we think we have shown sufficient reason for the expression of unqualified regret with which we commenced our remarks. Those who wish to go more deeply into the subject may peruse with profit the able speech of Lord Coleridge, delivered at Plymouth in 1872, at the meeting of the Social Science Association, and published among the minutes of the Association for that year.

To conclude with some practical proposal. Let the "High Court of Parliament" (omitting lay members from that designation) take its place along with the courts consolidated by sec. 3 of the Act of 1873, and let the jurisdiction of it be among the jurisdictions transferred by sec. 18 to the Court of Appeal. Let it be "the duty of the ex-chancellors" (with increased pensions) to attend the sittings of the Court of Appeal in the same manner as it is the duty of the salaried judges to attend the Judicial Committee, under sec. 1 of the Judicial Committee Act 1871. Lastly, let no judge of the First Instance be a judge of the final Court of Appeal, and let the restriction upon appeals from the intermediate to the final Court of Appeal be as proposed in the now withdrawn Bill.—*Law Times.*

NEW BRUNSWICK REPORTS.

NOTES OF RECENT DECISIONS.

(*From* Pugsley's Reports, *Vol.* 2.)

Boundary Line.

When a division line is in dispute between parties, and they agree to establish a line, and do so, and act upon it by putting up their fences, and severally occupying the land on each side, they are bound by their agreement, whether the line is right or wrong, and can not repudiate it, though they have not held under it for a period of twenty years, so as to gain a title by adverse possession.—*Perry* v. *Patterson.* 367.

Distress for Rent.

In trespass for seizing and selling tools under an illegal distress the plaintiff may re-