

some 16,000*l.* to the assets—a demand which the Court of Appeal actually upheld. The lender—this was the view which the Lords Justices took—might have known, and ought to have known, that the shares were not fully paid; they did not give sufficient weight to the fine old doctrine of estoppel, beloved, as Sir F. Pollock says, of our law. The House of Lords has happily saved this scandal to the administration of justice, and has put the law, or rather declared the law to rest, on a broader and sounder basis. When a company or anybody else makes a representation which it intends the person to whom it is made to act upon, and he does act upon it, neither good conscience nor law will allow the maker of the representation to say, “You might have found out that what I told you was false.” The answer is, given long ago by Lord Chelmsford, “Your misrepresentation put me off my guard.”—*Law Journal (London)*.

THE LAW OF EVIDENCE (CRIMINAL CASES) BILL.

Sir Harry Poland, in a letter to the *London Times*, with respect to the bill before the Imperial Parliament bearing the above title, says :—

I shall be glad if you will allow me to make a few comments upon some of the principal points which will have to be dealt with when the committee stage is reached, which will be shortly after Parliament meets.

The first is—Ought husbands and wives to be made compellable witnesses against each other? Sir Herbert Stephen in his letter which appeared in the *Times* of April 24 says that “to make them compellable seems to be inhuman.” He further says that “the wife of a man guilty of crime is bound by law, by religion, and by her solemn vow to assist, succour, and cherish her husband,” and that “the bill proposes to give her choice between (1) breaking this solemn obligation, (2) committing perjury, and (3) going to prison for contempt of Court.” Anyone reading the last paragraph of his letter would suppose that a wife is to be compelled for the first time to give evidence against her husband, whereas both by the common law and by the statute law she is in certain cases not only a competent witness but a compellable witness.

This is the common law : “In any criminal proceeding against a husband or wife for any bodily injury or violence inflicted upon