Jessel, M.R., *In re Hall & Barker*, 9 Ch.D. 538, to the effect that the same rule does not apply to suits in equity.

PRACTICE—EVIDENCE—WITNESS CALLED BY JUDGE—CROSS-EXAMINATION.

In *Coulson* v. *Disborough*, (1894) 2 Q.B. 316; 9 R. May, 240, two questions are discussed, viz., whether a judge at a trial has a right to call a witness *sua sponte*; and, secondly, to what extent, if any, such a witness may be cross-examined. The Court of Appeal (Lord Esher, M.R., and Smith and Davey, L.JJ.) held that a judge at the trial may rightfully call a witness who has not been called by either party, and that neither party has a right to cross-examine a witness so called; but if the witness, in answer to questions put to him by the judge, gives evidence adverse to either party, the judge ought to allow that party's counsel to cross-examine the witness on that point, but that a general cross-examination ought not to be permitted.

CRIMINAL LAW—CRUELTY TO ANIMALS—DOMESTIC ANIMALS—CAGED LIONS—12 & 13 VICT., C. 92, SS. 2, 29; 17 & 18 VICT., C. 60, S. 3—(CR. CODE, S. 512).

Harper v. *Marcks*, (1894) 2 Q.B. 319; 10 R. Aug., 306, was an information which was laid for alleged cruelty to animals; the animals in question were caged lions, and it was held by Cave and Wright, JJ., that they were not domestic animals within the meaning of the Acts above referred to, and therefore the Acts did not apply.

PRACTICE—WRIT SERVED OUT OF JURISDICTION—AMENDMENT OF—ORD. XXVIII., RR. 1, 6—(ONT. RULES 309, 314).

Holland v. *Leslie*, (1894) 2 Q.B. 346; 10 R. July, 313, was an action on bills of exchange, in which the writ had been served out of the jurisdiction. The defendant appeared and put in a defence; the plaintiff then discovered that in the indorsement of his claim on the writ he had set out a bill which had, in fact, been paid, and he applied for leave to amend by substituting the particulars of another bill, which was granted. The defendant appealed from this order, contending that there was no power to order the amendment, as the writ had been served out of the jurisdiction, and, if such an amendment were allowed, it could only be permitted upon the terms of re-serving the writ. Cave and Collins, JJ., however, upheld the order, being of opinion