

### DIARY FOR MAY.

1. Monday.... Law School ends. St. Thomas Chancery sittings. Hamilton Assizes.
2. Tuesday.... Supreme Court sits. J. A. Boyd 4th Chancellor, 1881.
3. Wednesday... London Assizes.
4. Thursday.... Mr. Justice Henry died, 1888. 2nd Intermediate Examination (last).
6. Saturday.... Lord Brougham died, 1868, aged 90.
7. Sunday..... *Rogation Sunday*.
8. Monday.... St. Catharines Assizes.
9. Tuesday.... Ct. of Appeal sits. Gen. Sess. and Co. Ct. sittings for trial in York. Exam. for Certificate of Fitness.
10. Wednesday.. Examination for Call.
14. Sunday..... *Sunday after Ascension*.
15. Monday.... Easter Term begins. Toronto Chy. sittings begin. Chy., Q.B., and C.P. Divisions H.C.J. sit.
16. Tuesday.... Convocation meets.
18. Thursday.... Brantford Chancery sittings.
19. Friday..... Convocation meets.
21. Sunday..... *Pentecost. Whit Sunday*. Confederation proclaimed, 1867.
22. Monday.... Earl of Dufferin, Governor-General, 1872.
24. Wednesday.. Queen Victoria born, 1819.
25. Thursday.... Guelph Chancery sittings.
26. Friday..... Convocation meets.
27. Saturday.... Habeas Corpus Act passed, 1679.
28. Sunday.... *Trinity Sunday*
29. Monday.... Peterborough Chancery sittings.

### Reports.

#### FIRST DIVISION COURT OF THE COUNTY OF ONTARIO.

(Reported for THE CANADA LAW JOURNAL.)

AUGUSTUS v. LYNDE.

#### *Barbed wire fence—Injury to animals—Negligence.*

The use of barbed wire for fencing purposes having received legislative and judicial recognition is not unlawful if maintained in accordance with municipal regulation; but, failing such, its erection or maintenance becomes illegal if it be placed or constructed so as to be dangerous to others in the exercise of their lawful rights.

[WHITBY, Nov., 1892.]

The plaintiff and defendant were occupiers of adjacent properties, there being no fence between them. The plaintiff occupied his land as pasturage for horses and cattle. The defendant, for the protection of the crops upon his land, placed upon the division line an erection of slight posts from twenty to thirty feet, or more, apart and loosely let into the ground, and stretched from post to post two strands of barbed wire. This was so carelessly done that the wires sagged, and in many cases trailed upon the ground. A horse of the plaintiff became entangled in part of this trailing wire, and was so lacerated thereby as to necessitate its being destroyed, and this action was brought to recover its value, which was shown to be at least \$60. It was also shown in