

taken, resulting in injury to the work authorized by the Act, the person taking that course becomes liable in damages to the party injured. By an Act power was given to a company to make a canal, and it was provided that nothing therein contained should affect the right of the owners of land to the mines or minerals under the site of the proposed canal, and it should be lawful for the owners to work such mines, not thereby injuring the canal; and further, that if the owner or worker of any mine, should, in pursuing such mining near or under the canal, in the opinion of the company endanger the same, then it should be lawful for the company to treat and agree with the owner or worker of the mine, and in case of disagreement a jury was to be summoned to assess the amount such owner or worker ought to receive, on being restrained from working such mine; and on payment of such amount the further working of the mine was to be perpetually restrained within the limits for which such satisfaction should, by the jury, be declared to extend. The defendants gave the company notice that they were going to work a coal mine under the canal, and the company declined to pay any compensation to the defendants for leaving the coal. The defendants then went on with their mining and damaged the canal, and it was held by the Court of Appeal (Lord Esher, M.R., Fry and Bowen, L.JJ.) affirming a Divisional Court of the Queen's Bench (Mathew and Cave, JJ.), that the coal owner or worker had a right under the Act to require that compensation should be assessed by a jury, but had no right to work the coal to the injury of the canal, and was liable to the company for the damage so caused.

Correspondence.

THE PROPOSED LAW FACULTY.

TO THE EDITOR OF THE CANADA LAW JOURNAL:

Dear Sir,--"The unexpected always happens." An attentive reader of the proceedings of the Law Society would never imagine that there was any danger of the legal fraternity becoming too few to transact the business of the country, and that the wheels of the car of Justice were likely to go slowly from a dearth of practitioners ready and willing to roll the chariot along. Yet, such must be the case, for a joint committee of the Law Society and of the Senate of the University of Toronto, have devised a new and short road to the bar, and are anxious to lessen the difficulties in the way of would-be barristers and solicitors, so far as time and study are concerned.

The Benchers have kindly and wisely submitted to the County Law Associations, and the authorities of the Universities of the Province, this "Scheme for the establishment and maintenance of a Law Faculty." The learned joint committee call this a "proposal for the *advancement* of legal education," and yet