

he proved himself to be an erudite and painstaking judge, whose decisions commended themselves to his brother judges and to the members of the legal profession as models of clear and learned judicial reasoning. His work upon the Board of Railway Commissioners may be characterized as one of national importance. His work in his latest capacity was one of the utmost utility to the public. It will remain a monument to his memory and a model for the future."

Chief Justice Howell at the opening of the spring assizes also took occasion to refer in most appreciative terms to the deceased, and concluded as follows:—"What an example for young men just commencing a professional career. Killam, the friend, the lawyer, the citizen, the judge, the chief justice, the railway commissioner, is gone. Let us hope that the night of death has been followed by a glorious morning."

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### United States Decisions.

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**DEATH—Compensation.**—Where there was evidence that plaintiff was in normal health at the time of an accident, it is not error to charge that the jury should not consider any previous illness from which she had recovered in determining her compensation. *Jacksonville Electric Co. v. Batchis*, Fla., 44 So. Rep. 933.

**FORGERY—What constitutes.**—To constitute forgery, the false instrument must be one which if genuine would have legal validity; hence, if an instrument be such that, though falsely made, it shews on the face of it that it has no legal validity, it is not the subject of forgery. *Ex parte Farrell*, Mont., 92 Pac. Rep. 785.

**HIGHWAYS—Dedication.**—Where one who moves his fence back intends to dedicate the space set free to the public, the fact that his motive was to oblige a friend is immaterial. *Tise v. Whitaker-Harvey Co.*, N.C. 59 S.E. Rep. 1012.

**HOMICIDE—Self-Defence.**—The aggressor not reasonably free from fault cannot excuse the killing of his antagonist on the ground of self-defence, unless he in good faith declined the combat and his adversary became the aggressor. *King v. State*, Fla., 44 So. Rep. 941.