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vised reference books four
times a year.**R. G. DUN & CO.**Toronto, Montreal, Hamilton, London, and all
cities in Dominion, U.S., and Europe.**MAGISTRATES AS DEFENDANTS.**

A nice point was raised before the Chancellor at Osgoode Hall on Monday last, in the case *Ashcroft vs. Tyson*. The action is brought against two magistrates to recover penalties for not making a return of a conviction of the plaintiff for assault. The Master in Chambers made an order for security for costs, which also directed that if security be not given within the time limited by it, the action be dismissed. Through inadvertence the security was not given, and the Master, upon application to him, amended his order so as to make it simply order security to be given and proceedings stayed until it be given. The defendant appealed, and counsel contended that the Master, under rule 1246, had jurisdiction to make his original order, but none to alter it; that this was a *qui tam* action for a penalty. The Chancellor holds that it was competent for the Master in Chambers to make the order for security for costs, under rule 1246, and that the reason of the decision in *Thompson vs. Williamson*, 16 P.R., 368, is not to be extended to the construction of one of a group of rules relating to security for costs. It would be excessively inconvenient to have a number of actions suspended indefinitely because security had not been given, and no provision made to end them. This is not a case for indulgence, as the action is of a penal character and seeks to take advantage of little more than a clerical error. Judicial discretion should not be exercised against officers of the law who meant to do their duty. He allows the appeal with costs.

FOREST FIRES SUITS.

The aftermath of the great forest fires in Wisconsin in 1894, which destroyed several cities, is now being gathered in the form of lawsuits. The Minneapolis, St. Paul & Sault Ste. Marie Railway Company, otherwise known as the "Soo" Railway, is the defendant in the suits, and the plaintiffs are lumbermen and others who lost property by the fires. It is alleged that the fires which destroyed the property were caused by sparks from locomotives of the "Soo" Railway Company, and so it is proposed to make this company disgorge. The amounts involved in the suits so far begun aggregate nearly \$250,000, and it is said that "still there's more to follow." But it is not at all unlikely that there will be some difficulty in convincing an intelligent jury that it was a careless locomotive, instead of a careless hunter or tramp, which was responsible for the fires. It is quite within the possibilities that some employé of the very men who bring the suit was the cause, innocent or otherwise, of the conflagration. At any rate, had not these lumbermen left dead brush, etc., where it could be available for starting and maintaining a fire, the possibilities of so great a destruction of property would have been vastly lessened. The predisposing causes of the fire were more at fault than the exciting ones, and the legal responsibility should be placed there in our opinion.—*Indicator*.

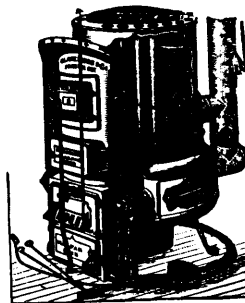
HIS HAPPY THOUGHT.—Many years ago in Central Maine a man started out to sell oil-cloth table covers throughout the country at fifty cents a cover. After tramping all day without selling one, a happy thought struck him. He would charge a dollar and take half the pay in cast-off shoes. The result was people imagined they were getting some return for their old shoes, and there was a general ransacking of attics, and table covers went like hot cakes. But the old shoes? Well, whenever he found a convenient hole beside the road, out of sight, he pulled up his cart and dumped the lot.

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