

DIARY FOR JULY.

1. Sat Long Vacation com. Last day for Co. C. to equal
2. SUN ... 3rd Sunday after Trinity. [Roll of Loc. Mun.
3. Mon ... County Ct. and Surrog. Ct. Term beg. Heir and
[Devisee sittings commence.
8. Sat County Court and Surrog. Ct Term ends.
9. SUN ... 4th Sunday after Trinity.
14. Frid... Last day for Judges of Co. Cts. to make return of
15. SUN ... 5th Sunday after Trinity. [Appeals from Ass't
18. Tues... Heir and Devisee sittings end.
23. SUN ... 6th Sunday after Trinity.
25. Tues... St. James.
30. SUN ... 7th Sunday after Trinity.
31. Mon ... Last day for Co. Clk. to certify County Rate to
[Municipalities in Coun

NOTICE.

Owing to the very large demand for the Law Journal and Local Courts' Gazette, subscribers not desiring to take both publications are particularly requested at once to return the back numbers of that one for which they do not wish to subscribe.

The Local Courts'

AND

MUNICIPAL GAZETTE.

JULY, 1865.

POWER OF SCHOOL TRUSTEES TO LEVY RATES.

A question of some importance on this subject came up for discussion a short time ago in the Court of Common Pleas, in a case of *The Chief Superintendent of Schools in re Hogg v. Rogers*. The decision upon it was given on the 12th June last, and we now hasten to lay it before our readers. We shall in our next issue give a full report of the case.

The action was brought in a Division Court for trespass against a collector of school rates for unlawfully seizing and detaining a horse, the property of the defendant. The warrant under which the seizure took place, was dated February 22nd, 1864, and annexed to it was a rate bill taken from the assessment roll of 1863. The judge of the Division Court decided that the trustees ought to have waited for the completion of the roll of 1864 before issuing the warrant; that a township collector is only authorized to act upon the roll which is made up, finally revised and certified, and delivered to him on or before the 1st October in the year in and for which the taxes mentioned in the roll are to be collected, and the collector's power under his roll ceases on the 14th December following, unless pro-

longed by express by-law or resolution of the county council; and that a school collector has no greater power than a township collector, and must proceed under the same restrictions as to time and authority in the exercise of his duties.

This decision was appealed from and the appeal was sustained. The learned judge who delivered the judgment of the court stated that the sole question was whether school trustees have authority in any year, before a copy of the revised assessment roll of that year has been transmitted to the clerk of the municipality, to impose and levy a rate for school purposes upon the assessment roll of the preceding year. He came to the conclusion that they have, and that they are not restricted to making one levy, but may levy at any time as need requires it, and may use, and can only use, the last existing revised assessment roll for imposing the required rate. He thought that the error of the decision was in making the analogy between municipalities and trustees and township collectors, and collectors under warrants of trustees identical, thus restricting the common school acts by acts not necessarily affecting them.

He drew attention also to the evils that would arise from compelling trustees thus to wait till the new roll was completed, as there were many instances in which such a delay would operate most prejudicially to the interests of the school section, and be a hardship upon teachers and others.

FALSE PRETENCES.

(Continued from page 67.)

A prisoner was indicted and held to be properly convicted upon the following facts: The prisoner had applied to one F. for a loan upon the security of a piece of land, and falsely and fraudulently represented that he had built a house and workshop upon it. F. advanced the money upon the prisoner signing an agreement for a mortgage, depositing his lease and executing a bond as collateral security.

Upon an indictment for obtaining money by false pretences, it appeared that the prisoner had told the prosecutrix that she kept a shop at a particular place, and that she might go home with her until she got a situation. She then borrowed ten shillings of her and promises to repay it when she got home; but having got it she left the prosecutrix altogether. It was untrue that she kept a shop at the