

EVIDENCE OF POLICEMEN.

A contemporary reports the following remarks lately made by Lord Chief Justice Bovill upon the trial of a perjury case at Manchester, the accused being a policeman in the Preston borough force:—"I think it only right to state that even in immaterial matters the police ought to be extremely careful. Whether material or immaterial to the issue, they are in a position of great responsibility, and they ought to be most accurate in every statement that they make, whether it is for or against those whom they prosecute. It is a great misfortune that very often the conduct of cases for the prosecution is left to the police, and I think it right to say publicly, and in presence of the police, that they can never be too careful in any case where there is the slightest doubt, not to say anything which they do not believe to be the fact, but confine themselves strictly and accurately to what they see and know. I also desire to remark publicly that I have known many instances in which the police, in giving their evidence, have not stated that which is in favour of the prisoner; and I wish it to be understood that it is the duty of the police to state in every case not only what they know in favour of the prosecutor, but even to volunteer what they know in favour of the prisoner. That I wish every policeman to most clearly to understand; and in every instance that has come before me in which the policeman has kept back anything in favour of the prisoner, I have always endeavoured to impress upon those in authority that is a thing to be discouraged, and that policemen, instead of meriting reward for such conduct, place themselves in a position for which they ought to be reprimanded. The police ought to be especially careful in every instance never in any way to depart from the truth, and never to conceal anything in favour of a prisoner."

UTILITY OF LAW LATIN.

A member of the General Assembly of Rhode Island once moved to translate all the Latin phrases in the statute so that the common people could understand them. The exquisite folly of such a measure was by no means obvious to the great body of the Assembly. It was quite as likely to pass as not. A good solid argument against it would probably have carried it through. The late Mr. Opdyke took the ground that it was no advantage to have the people understand the laws. They were not afraid of anything they understood. It was these Latin words they were afraid of.

"Mr. Speaker, there was a man in South Kingstown about twenty years ago a perfect nuisance, and nobody knew how to get rid of him. One day he was hoeing corn and he saw the sheriff coming with a paper, and asked what it was. Now if the sheriff had told him it was a writ, what would he have

cared? But he told him it was a *copias ad satisfaciendum*, and the man dropped his hoe and ran, and has not been heard of since."

Nor has the proposition to translate the Latin words in the statute been since proposed.—*Pittsburgh Legal Journal*.

SIMPLE CONTRACTS & AFFAIRS OF EVERY DAY LIFE.

NOTES OF NEW DECISIONS AND LEADING CASES.

LEASE—RIGHT TO CUT TIMBER.—The owner of land made several leases of portions thereof, wherein it was stipulated that the lessees should have a right to cut the timber thereon; and they on their parts covenanted to make certain improvements; the defendant accepted a lease in which it was agreed that the lessee should render up all improvements, but the lease did not bind him to make any.

Held, that the lease did not confer a right to cut the timber standing on the demised premises, notwithstanding the same were wild, and in a state of nature.—*Goulin v. Caldwell*, 18 Chan. Rep. 498.

TRADE MARKS.—Plaintiffs sold liquid medicine put up in bottles, labelled "Perry Davis's Vegetable Painkiller." Defendant subsequently sold a similar kind of medicine put up in bottles labelled "The Great Home Remedy Kennedy's Painkiller." Plaintiffs claimed the word "Painkiller" alone as their trade mark. It was proved that the medicine of plaintiffs was known and sold in the market by the name of "Painkiller," before the defendant's was introduced, and that the trade would not be deceived by the defendant's labels, although the general public might be deceived. An injunction was granted restraining the use by the defendant of the word "Painkiller" as a trademark, with account of profits and costs.

The right at common law of an alien friend in respect to trade marks, stands on the same ground as that of a subject.—*Davis v. Kennedy*, 13 Chan. Rep. 523.

CORPORATION — DISCRETIONARY POWERS — JURISDICTION.—A Company incorporated for the purpose of improving the navigation of the Grand River, is bound to exercise its powers reasonably, so as to avoid doing any unnecessary injury to neighbouring proprietors.

The Court will reluctantly interfere with the Company's discretion where amongst engineers there may be a difference of opinion; but as it