

The vacancy in the County Court Judgeship of Haldimand, caused by the death of Judge McMillan, has been filled by the appointment of Charles Wesley Colter, K.C., of the town of Cayuga, formerly County Crown Attorney. The latter position has been filled by Mr. Murphy. An objection was taken to this appointment on the ground that he did not come within the meaning of the Act which requires that a County Attorney shall be "a Barrister-at-law of at least three years' standing at the bar." Mr. Murphy comes well within the letter of the law, but it is claimed he was not eligible by reason of his not being in active practice, occupying the position of jailer of the county. We understand that there is no objection to his fitness in other respects, and probably what he does not know he will soon learn.

The Lord Chancellor of England occasionally gets off a good thing. He recently fell foul of counsel for using the word "practical." Lord Halsbury interrupted him as follows: "'Practical?'—I always distrust that word 'practical,' whenever anybody says a thing is *practically* so and so, I know it is *not* so and so." The word "practically" has been in common use both by counsel and judges. It may possibly be less used hereafter now that the Lord Chancellor has given it a "black eye." This use of the above word brings to mind the old and curious doctrine of constructive crimes, now obsolete. In *R. v. Serne and Golafsch*, 16 Cox C.C. 31, Stephen, J., said "The phrase '*constructive* murder' has no legal meaning whatever. There was either wilful murder, according to the plain meaning of the term, or there was no murder at all." This remark is somewhat appropriate to the use of the word "practically." This use of such a word is of no force one way or the other, but points rather to an attempt, excusable possibly under certain circumstances from a layman's point of view, to avoid a necessary logical deduction.

The development of mobocracy known as Lynch law unhappily prevails in some civilized countries where law and order should and might be maintained by the duly constituted authorities. The conditions under which it might properly be evoked have been well portrayed by Owen Wister in "The Virginian;" for circumstances occasionally arise where the administration of that sort of justice