tion as being in some cases unreliable; but no individual would dream of excluding those facts from his consideration on any matter, when his object was to form a fair judgment of the truth. The communications of the murdered girl to her friends as to her relationship with the accused, were properly excluded from the witness box, because it would be most dangerous to condemn a man to punishment upon statements made by some person behind his back. But the police were bound to take these statements into consideration for the purpose of investigation, and to help their own judgments in the pursuit of legal evidence. It was, to say the least of it, a remarkable coincidence that she should have said so much before the murder about a man who that very evening who was found to be going, in a muddy state, in a direction from the very spot where she was killed. Extraordinary coincidences do occur, and from the evidence adduced for the defence this appears to be one of them. But the police must act according to the usual human experience, and they would have no right to treat concurrent facts as mere coincidences until they are proved to be so, and no proof of this was given until the trial produced the witnesses who answered the probabilities by the facts. What the poor girl had said about Pook could not, without gross injustice, have been put in evidence against Pook; but it could not fail to make an impression on the mind, and to direct the suspicions of the police, and they are not to be blamed for acting upon those suspicions and following up the clue which had thus been given to them. Their error lay in not putting before the jury all the facts they had found. But, then, their answer to this is that the case was out of their hands, and had passed into the possession of the lawyers. Thus much is due to them.—*Law Times.*

There are few who know anything of courts of justice who will not agree that to sit in them continuously for even a few hours is extremely fatiguing. The newspaper critics and the public understand very little how exhausting it is to undergo an unrelaxed mental strain in a vitiated atmosphere for the greater part of an entire day. And when the subject upon which the mind is intent remains unchanged, and monotony is added to the other evils, we can believe that to endure it without flinching requires a strong constitution. But it is also to be remembered that success of the first order in the legal profession implies that he who attains it possesses not only great mental capacity, but very considerable physical strength also. When these qualifications are transferred to the Bench, and are paid for at a high rate, the country has a right to expect that they may be taxed to any limit within reason without eliciting a protest.—*Law Times.*

[True enough, provided the "high rate" is paid; in England it is, but not in Ontario.—Eds. L. C. G.]

MAGISTRATES, MUNICIPAL, INSOLVENCY & SCHOOL LAW.

NOTES OF NEW DECISIONS AND LEADING CASES.

Fence-viewers—Award—Right of Appeal—The right of appeal to a County Court Judge against an award of fence-viewers, under 32 Vic. ch. 46, sec. 8, is not restricted to an award made under sec. 6, sub-sec. 2 of the Act, when the land benefited is in two municipalities, but extends to an award made by three fence-viewers under C. S. U. C., ch. 57, which the latter Act amends and is made part of.—*In re McDonald et al and Cattanach et al*, 5 Prac. Rep., 288.

Division Court—Interpleader—Equitable claim.—On an interpleader in the Division Court the jurisdiction of the Judge is not confined to the question of legal property: he may determine the claimant's right to an equitable interest.—*McIntosh* v. *McIntosh*, 8 Grant 58.

Alteration of School Sections—Notice to Parties Affected.—Section 40 of the Common School Act, Con. Stat. U. C. ch. 64, enacts that a township council may alter the boundaries of a school section, in case it clearly appears that all parties to be affected by the proposed alteration have been duly notified of the intended step or application.

In this case the only notice given was by the trustees of the section from which certain lots were taken by the alteration, to the trustees of the section to which such lots were added—that being the notice which it was alleged had been customary in the township in similar cases. *Held*, insufficient, and the by-law making the alteration was quashed.

The by-law was passed in February, 1870, but the clerk of the corporation did not notify the trustees of it until August—*Held*, that a motion to quash in M. T. 1870 was in time.—*Patterson and the Corporation of the Township of Hope*, 30 U. C. Q. B. 484.

Arrears of Taxes — Levy. — Where lands, which had been assessed as non-resident, became occupied, and assessed as such, *Held*, not competent for the treasurer, under section 126 of 32 Vic. ch. 36, Ont., to issue his warrant to levy arrears accrued when the lands were non-resident, the 111th to the 117th sections of the Act providing for that event.—*Snyder* v. *Shibley*, 21 U. C. C. P. 518.

Warrant of Commitment—Mandamus against Justice.—The issuing of a warrant of