

EDITORIAL NOTES—NEW QUEEN'S COUNSEL.

Deputy Clerk. This necessitates an additional stamp of fifty cents on each paper. This, of course, was never intended, but the Statutes are so plain that the Deputy Clerks have been instructed to insist upon the stamp being affixed in every case. We trust the judges will find or make some way out of the difficulty. At present this will add enormously to the costs of a suit—anything from say \$5 to \$25 or more.

Again, Rule 222 says that a party may obtain an order of course upon præcipe for discovery and production of documents. Form 125 is drafted on the assumption that an ordinary motion must be made before a judge in Chambers. The discrepancy was doubtless caused by following the English form without reference to the enacting clause.

WE notice reported in the *London Mail* for the 12th inst., an interesting case tried at the Assizes at Swansea, before Mr. Baron Pollock and a special jury. It is the case of *Elliott v. The Taff Vale Railway Company*, and is of importance as involving the question of the liability of railway companies for negligence in the management of their engines, whereby fires were caused in the vicinity of their lines. During the hearing reference was made to the cases of *Vaughan v. The Taff Vale Ry. Co.*, 29 L. J. Exch. 247 : *Powell v. Fall*, 49 L. J. App. Q. B. 428 : *Pigott v. Eastern Counties Ry. Co.*, 3 C. B. 299. The learned judge at the close of a long and elaborate summing up, left the following questions to the jury :—(1). Was the fire occasioned by any act of the defendants or their agents? (2). Did the sparks set fire to the plaintiff's premises immediately, or by setting fire to the grass outside? (3). Were the defendants guilty of negligence in the working and management of their engines and railway? The jury, after a short deliberation, returned the following answers : (1). The fire was occasioned by the act of the de-

fendants. (2). The fire commenced in the plaintiff's premises and not outside. (3). The defendants were not guilty of negligence. A verdict was accordingly entered for the defendants, and judgment given for them.

NEW QUEEN'S COUNSEL.

The following is a list of the gentlemen who were recently appointed Queen's Counsel by the Dominion Executive :—

Richard Martin, Hamilton.
 Samuel Smith McDonald, Windsor.
 Hon. Alexander Morris, Toronto.
 Allan R. Dougall, Belleville.
 John Charles Rykert, St. Catharines.
 John Creasor, Owen Sound.
 Samuel Jonathan Lane, Owen Sound.
 Thomas Wardlaw Taylor, Toronto.
 George D'Arcy Boulton, Toronto.
 Henry Burkett Beard, Woodstock.
 Byron Moffat Britton, Kingston.
 William Lount, Barrie.
 William H. R. Allison, Picton.
 Robert Smith, Stratford.
 Hon. Wm. Macdougall, Ottawa.
 James Kirkpatrick Kerr, Toronto.
 Thomas Deacon, Pembroke.
 Alexander Shaw, Walkerton.
 George Dean Dickson, Belleville.
 John McIntyre, Kingston.
 Adam Hudspeth, Lindsay.
 John Edward Rose, Toronto.
 Charles Moss, Toronto.

Some few of these should have been appointed long since, and the reason for appointing some of the rest is not very plain, but on the whole the list has been accepted by the profession as satisfactory.