

would be so strong that the evidence of the accused would be untrustworthy.

What inducement would a man who is innocent, as he is by the maxim referred to presumed to be, have to commit perjury? The same prejudice and practice existed within the recollection of men now living against the admission of the evidence of parties to civil proceedings, as well as against that of witnesses who might even in the slightest degree have been pecuniarily interested in the result.

More enlightened views have long prevailed in the case of proceedings in our civil courts, and the soundness of the argument of those who first agitated for the reform of the old system, "that so long as the safeguard of cross-examination exists it will be as easy to elicit the truth from an interested party as from any other witness," has been amply vindicated by the results. Those stirring denunciations from counsel of the evidence of the opposing litigant in civil proceedings, on the ground that it was the offspring of interested motives that were so common immediately after the innovation admitting such evidence was introduced, are seldom, or never heard nowadays, as the spectacle of an interested litigant in the box has long ceased to be regarded as anomalous. The same sentiments will, no doubt, gradually prevail in the case of criminal prosecutions after we have become more familiar with the spectacle of the accused giving evidence.

ELGIN MYERS.

ENGLISH CASES.

EDITORIAL REVIEW OF CURRENT ENGLISH DECISIONS.

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LANDLORD AND TENANT—LEASE—COVENANT FOR QUIET ENJOYMENT—
ASSIGNMENT OF REVERSION—SUBSEQUENT PURCHASE OF ADJOINING PRO-
PERTY BY ASSIGNEE OF LESSOR—BREACH OF COVENANT.

In *Davies v. Town Properties Corporation* (1902) 2 Ch. 635, a somewhat curious question arose. In 1897 a lease was granted to the plaintiff for fourteen years of certain offices. The lease contained a covenant on the part of the lessor and his assigns for quiet enjoyment by the lessee without any disturbance by the