

her ordinary state, so that it made you uneasy?—Yes. Now you saw the statements of the other sisters and the lay sisters?—Yes. Well, in one of them there is this passage: "I have noticed her manner very familiar with one of the priests; I saw her once on her knees beside him entreating him to go with her." Now what did you mean by sending that to the Bishop?—It turns entirely on the rules. Turns on the rules—what rules? The witness referred to a passage in the rules, which was read, as to a becoming gravity of demeanour. "Then all you meant by sending that statement was that she had not preserved in her deportment a gravity becoming a religious. That was all you meant?—Yes. *Don't you think it would have been better to have said so?—It did not occur to me.*"

Sir Alexander Cockburn summed up the case to the jury with his accustomed power. His charge contains only one passage of distinctly legal interest—that in which he dealt with the constitution of the convent and the authority that the Lady Superior was entitled to exercise. "There are three vows entered into, but we have only to deal with two of them—poverty and obedience. What is the meaning of the vow of poverty? It is the renunciation of all rights of property, of all capacity for acquiring any, so that any which is acquired is for the benefit of the community, and to be administered at the will of the Superior, so that what is done in the honest exercise of that authority cannot be complained of. It is important, again, to observe the scope of that authority. The vow is that of obedience to this unlimited extent, that the voice of the Superior is as the voice of God. A form more emphatic could not be used, nor to my mind one more shocking, though by that, as I have already said, we must not allow ourselves to be influenced. But we have to consider the extent to which this authority can be considered as legitimately going, and whatever is intended under it a sister has sworn on all occasions to submit to. I take it to be clear that it must be reasonably exercised, and must be restrained within reasonable limits. There must be nothing contrary to the laws of God or man; and, further, what is meant

by obedience is obedience to the rules or customs, whether written or traditional, established or exercised in the community. For instance, suppose it had occurred to the Superior that the discipline of flagellation would be salutary for the soul of (Miss Saurin), and the sister protested against it as contrary to the rules and customs, and it was forcibly inflicted upon her, I do not doubt that an action would be maintainable for it. . . . So here, if the Superior has committed an assault, I should hold it not within the scope of her authority. But as to other matters within the scope of her authority there would be no legal cause of complaint, unless you thought that they were vexatiously committed.' This charge, and indeed the trial as a whole, will be found to form a fitting prelude to the study of the class of cases of which *Allcard v. Skinner* is the latest, and not the least interesting, example.—*Law Journal* (London).

GENERAL NOTES.

CROSSES IN CHURCHYARDS.—A certain vicar died and was buried, his friends desired to place a cross over his grave, but the new vicar demurred, considering a cross in the churchyard would promote idolatry. The parishioners thereupon took the case before the Consistory Court at Wells, and the Chancellor declared that there was not the slightest ground for apprehending any offence being caused to the conscience of any reasonable or educated man. It was pointed out that Englishmen do not worship crosses wherever they see them, and that crosses in churchyards and cemeteries are quite legal. They are not confined to one particular creed or sect either, as Nonconformists, as well as other religious persuasions, erect them over the graves of relatives. The symbol of the cross has of recent years, if one may say so reverently, become so popular, that when the practice of cremation increases it will, doubtless, be the custom to surmount or paint on the urn the cross, and there would be no idolatry in doing so.—*Law Journal*.

JACKDAW LAW.—A paragraph has been running the round of the dailies under the above title. A lady had lost a jackdaw, and, seeking to recover it from a man who said he had bought it, she now desired the assistance of a bench of magistrates. It was pointed out to her that a jackdaw is an English wild bird, and if it flies out of the possession of the person who has been keeping it, and is caught by someone else, the person so catching it cannot be charged with unlawful detention, for there is no criminal act by such retention. It was suggested to the applicant that she could proceed in the County Court as regards the bird.—*Id.*