answered, would be brought forward as evidence of the truth of the charges made in them. The ordinary and wise practice is not to answer them—to take no notice of them. Unless it is made out to be the ordinary practice of mankind to answer, I cannot see that not answering is any evidence that the person who receives such letters admits the truth of the statements contained in them. I have therefore no doubt that the mere fact of not answering a letter stating that the person to whom it is written has made a promise of marriage, is no evidence whatever of an admission that he did make the promise, and therefore no evidence in corroboration of the promise. I do not say there may not be circumstances, occurring in a correspondence between a man and a woman, which would or might make the omission to answer one letter in the correspondence some evidence of an admission of the truth of the statements contained in the letter. There might be cases in which the court thought that, having regard to the nature of the correspondence and the circumstances of it, the not answering one letter in that correspondence did amount to evidence of an admission; but this is not one of those cases. Here we have only to say whether the mere fact of not answering the letters, with nothing else for us to consider, is any evidence in corroboration of the promise. If the fact of the defendant not having answered the plaintiff's letter is no evidence in corroboration, it is clear that the not answering the letter of a mere stranger, such as the pastor of the German Church, or a letter of the burgomaster, which does not contain any reference to the alleged promise to marry, cannot be evidence in corroboration. Then as to the ring, could any sensible person say, where relations such as those in this case had existed between the parties, that the mere fact of the plaintiff having the defendant's signet ring in her possession was more consistent with his having promised to marry her, than with the other view of their intimacy? In my opinion it would be contrary to sense to say that the possession of the ring was any evidence corroborating the promise. It matters not whether he gave her the ring, or she took it up from the floor, as he alleges, though the fact that it was a signet ring makes it less likely that he did give it to her. It was urged that it was a question for the jury whether there was evidence in corroboration of the promise to marry. If that were so, the statute might just as well be discarded altogether. I am of opinion that there was no evidence of the corroboration of the promise to marry required by the statute. The judge therefore ought to have nonsuited the plaintiff with respect to her claim for damages for breach of promise of marriage, and upon that issue there should be judgment for the defendant.

Bowen, L. J. It seems to me that with respect to the question of law for our decision in this case, the matter admits of no doubt. It would be a monstrous thing if the mere fact of not answering a letter which charges a man with some misconduct was held to be evidence of an admission by him that he had been guilty of it. There must be some limitation placed upon the doctrine that silence when a charge is made amounts to evidence of an admission of the truth of the charge. The limitation is, I think, this: Silence is not evidence of an admission, unless there are circumstances which render it more reasonably probable that a man would answer the charge made against him than that he would not. That appears to me good sense, and it is in substance the principle laid down by Willes, J., in *Richards* v. *Gellatly*, L. R. 7 C. P. 127, at p. 131. He says: "It seems to have been at one time thought that a duty was cast upon the recipient of a letter to answer it, and that his omission to do so amounted to evidence of an admission of the truth of the statements contained in it. But that notion has been long since exploded, and the absurdity of acting upon it demonstrated. It may be otherwise where the relation between the parties is such that a reply might be properly expected." In this case I think it would be unreasonable and insensible to suppose that the defendant was called upon to answer the statements contained in the plaintiff's letter to him, upon the alternative that they must be taken to be true if he did not deny them. In *Bessela* v. *Stern*, 2 C. P. D. 265, a conversation between the