

FLOTSAM AND JETSAM.

BOOKS RECEIVED.

THE PRINCIPLES OF THE LAW OF CONTRACTS, by Sir Wm. R. Anson—American edition. Chicago: Callaghan & Co.

A COMPENDIUM OF THE LAW OF EXECUTORS AND ADMINISTRATORS, by W. Gregory Walker. London: Stevens & Haynes.

NEW LAW DICTIONARY AND COMPENDIUM OF THE WHOLE LAW, by Archibald Brown. Second edition. London: Stevens & Haynes.

THE ELEMENTS OF JURISPRUDENCE, by Thomas Erskine Holland, D.C.L. Oxford: Clarendon Press.

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As to the possibility of substituting for the gallows some form of death likely to be less painful, Dr. Henry Natchel, a distinguished French physicist, now in New York, says that the garrotte does not always kill the first time, and could not be made successful except in the hands of a skilful surgeon; that administering chloroform violently is very painful; that prussic acid in the eye does not always produce instantaneous death, and must be administered by a physician; that death by strychnine is sometimes accompanied by terrible convulsions and great pain; and that even electricity is not sure, for a man in England was struck by lightning and stripped of his clothing, and many bones were broken, and yet he survived it. "Hanged by the neck until dead" seems likely to remain on the statute books for the present.

As questions of precedence are now considered of much importance, and as it is rather difficult to ascertain how this matter stands as among the twenty-nine Judges occupying the bench in England, we copy the order as given in the *Solicitor's Journal*:

- (1.) The Lord Chancellor (who is placed above all Dukes, except Royal Dukes).
- (2.) Judges of the Judicial Committee (as Privy Counsellors).
- (3.) Chancellor of the Duchy of Lancaster.
- (4.) The Lord Chief Justice of England.
- (5.) The Master of the Rolls.
- (6.) The Lord Chief Justice of the Common Pleas.
- (7.) The Lord Chief Baron.
- (8.) The Lords Justices of Appeal.
- (9.) The Vice Chancellors.

(10.) The Puisne Judges of Queen's Bench, Common Pleas, and Exchequer, according to seniority of appointment.

(11.) Judge of the Court of Probate.

(12.) Judge of Court of Admiralty.

A lawyer's wit, sometimes, does more than enliven a dull hour in court. It so opens the eyes of the Judge that he sees with clearness a point that otherwise he would have ignored. An illustration of this penetrating wit once occurred at the trial of a sailor in a New England seaport.

The sailor, after having drunk to excess in a low saloon, had quarrelled with the landlord, and beaten him severely with a bottle snatched from the bar.

As the case admitted of no legal defence, the sailor's lawyer, putting in a plea of guilty, addressed himself to the court in order to secure as light a sentence as possible. He urged that the prisoner had acted under the influence of liquor—and very poor liquor at that.

"But, sir," said the court, not inclined to view the appeal with favour, "we are to consider the aggravated character of the offence. Your client admits he assaulted this man with a bottle."

"Yes, your honour," interposed the witty lawyer, "we admit all that; but I beg you to remember that this man first assaulted my client with its contents."

The court smiled at this unexpected point, and Jack got the benefit of it in a light sentence.—*Chicago Legal News*.

The *Law Times* says: The British juryman is a personage of so much importance, that one hesitates to question the propriety either of what he does or what he says. At the risk of committing an impropriety, however, we refer to some remarks by a juryman, who took part in a coroner's inquiry into the cause of death of a seaman of the Royal Navy in one of our southern seaport towns: The juryman to a witness.—Are you an independent witness? Answer.—Yes. Juror.—By whose solicitation do you come here? Solicitor for one of the parties.—I protest against such an imputation. Juror.—I saw some witnesses come from your office. Solicitor.—There is no reason why I should not see witnesses before they come here. Juror.—I was surprised to see them march out of your office. Solicitor.—I have a right to examine any witness who comes and makes statements to me. This is a most improper imputation. Now, with all respect for this juror, it will certainly take the whole of the solicitors' profession by surprise, to learn that there is a reflection on a professional man, who takes down the