

of a conversation which took place, not directly between the parties over the telephone, but through the operator in charge of a public telephone station. It was held by a divided court that the person who received the message from the operator could state what was told him where there was evidence that the other party did in fact use the telephone at that time. It is evident that the operator could not be expected to remember the conversation. It would seem, however, that this case also goes pretty far, and that the statements of the party who alleges that he receives such a message should be strongly corroborated, at least as to the presence of the other party at the other end of the wire at the time testified.

In a recent case, *Banning v. Banning* (80 Cal. 271; 13 Am. St. Rep. 156), it was held that the fact that a married woman is not personally present before a notary at the time he takes her acknowledgment, through a telephone, she being three or four miles from him, will not vitiate such deed, because, in the absence of fraud, accident or mistake, the certificate of the notary in due form is conclusive of the material facts therein stated.

In this case it was clearly proved that the acknowledgment was made through the telephone.

These appear to be all the decisions so far on the question.—*N. Y. Law Journal*.

### ROMANCE OF THE LAW.

If verification of the old saying that "Truth is stranger than Fiction" were needed, it can be found in the account of the extraordinary case of *Pickett v. Lyon* tried at Lewes before Mr. Baron Huddleston and a special jury, on the 13th, 14th and 15th August last. A full report of the case will be found in *The Times* (weekly edition) for 22nd August.

The plaintiff was a "costumier" or lady's dressmaker, and he sued to recover a balance of nearly £900 on a total account for nearly £2,000, for dresses supplied to defendant's wife since their marriage in June, 1888, down to February, 1889, during which period of scarcely nine months, the bills came to over £1,900.

The defendant's wife, who had run away from home, came to London in 1877 at the age of sixteen, and had for many years lived an immoral life. She subsequently assumed the name of "Mrs. Spencer Stanhope," used the crest of that family on her cards and writing paper, lived in fashionable neighbourhoods and pretended to be a widow, receiving money from unknown, but easily imagined sources. She became acquainted in August, 1886, with Captain Warner, a gentleman of large property in Leicestershire, who allowed her, for two or three years, the very large sum of £4,000 annually. She lived with the Captain, when in town, in Belgrave-road as Mrs. Stanhope, he taking the name of Captain Stanhope.

Early in 1888, while in London, she casually made the acquaintance of Lieut. Lyon, of the Life Guards, then twenty-six years of age, and married him secretly in June the same year, under the name of Fitz-Lyon. He had, after the payment of his regimental and customary expenses, some £500 per annum. She represented to him that she was a woman of ample private means. They took a house in Portland terrace and lived there till September. She desired her husband, for the sake of secrecy, not to call at the house in Belgrave-road, though she herself was in the constant habit of repairing thither to meet Captain Warner, who, however, had no idea till March, 1889, that "Mrs. Stanhope" was married, nor did the husband know of Captain Warner. When she then informed Captain Warner of her marriage, he completely parted from her, giving her £1,000 as a wedding present.

The deluded husband had no idea of this state of affairs, till it was accidentally disclosed to him during the course of an action that had been brought, in April, 1890, by one Bonner, a jeweller, for jewelry supplied to his wife. On receiving this dreadful intelligence from his counsel in the case, the unfortunate man was so shocked that he burst into tears and was removed from the court room. He refused to see his wife and instituted divorce proceedings which are still pending. In the present case the wife actually appeared as a witness on behalf of the costumier, against