

FLOTSAM AND JETSAM.

Court be requested, from this time forth, to announce the entrance to the Court-room of the Chief Justice and his associates; and that the members of the bar present rise and remain standing until the Chief Justice and his associates are seated." To us in England such a resolution as this appears very strange. Not only in the Superior Courts of Law and Equity, but in all County Courts and Courts of Quarter Sessions, the members of the legal profession and the public rise at the entrance of the judge or judges of the Court, and remain standing until every member of the bench is seated. We should have supposed that so goodly a custom as this, which has existed "from time whereof the memory of man runneth not to the contrary," would have been transplanted to America with the Common Law. But, as our brethren of New York have only just adopted the usage, we must content ourselves with the remark that this act on their part is "better late than never."—*Law Journal*.

THE JUDGES AT ST. PAUL'S.—On the 18th April, being the first Sunday in Easter Term some of Her Majesty's judges, in accordance with an ancient custom, attended in state the afternoon service at St. Paul's Cathedral. The Lord Mayor, accompanied by the Lady Mayoress, and attended by the Sword and Mace Bearers, and the City Marshal, went from the Mansion House to the Cathedral in his carriage, drawn by four horses, to meet their lordships. There were also present, with that view, Mr. Alderman and Sheriff Ellis, Mr. Sheriff Shaw, Mr. Alderman Finnis, Alderman Sir William Rose, Alderman Sir Thomas Dakin, Mr. Alderman M'Arthur, M.P., Mr. Alderman Figgins, the Common Serjeant (Sir Thos. Chambers, M.P.), the Town Clerk, the Under-sheriffs, and the City Controller. All the civic dignitaries wore their distinctive robes of office, and each carried a bouquet. A large number of the Common Council in their marine gowns likewise attended the service. The Judges present were the Lord Chief Baron, Mr. Justice Brett, Mr. Justice Archibald, Mr. Justice Denman, Mr. Justice Field, and Mr. Justice Huddleston, and with them came Mr. Serjeant Robinson and Mr. Serjeant Cox.—*Law Journal*.

That the compounding a felony is illegal may be taken to be established law; but it has been said to be not so plain what the compounding of felony is. Lord Hale, however, appears to have entertained no doubt about the matter. He says (P. C., p. 546), "As to retaking of goods stolen: If A. steals the goods of B., and B. take his goods of A. again to the intent to

favour him or maintain him, this is unlawful, and punishable by fine and imprisonment." "And so," he adds in a note, "seems that practice of advertising a reward for bringing goods stolen and no questions asked, which I have heard Lord Chancellor Macclesfield declare to be highly criminal, as being a sort of compounding of felony, for, the goods by that means returning to the right owner, a stop is put to the inquiry and prosecution of the felon, and thereby great encouragement is given to the commission of such offences." And again, at p. 618, "A. hath his goods stolen by B.; if A. receives his goods again upon agreement not to prosecute or to prosecute faintly, this is theft bote, punishable by imprisonment and ransom." A statement of the law which is not affected by the recent case of *Wells v. Abraham* (26 L. T. Rep. N. S. 432), in which the Court of Queen's Bench, while affirming the rule, "perhaps coeval with the law of England," that the omission to prosecute suspends the right to sue, refused to set aside a verdict for the plaintiff in trover upon the application of the defendant, on the ground that the facts alleged established a felony in the defendant, and that the plaintiff had since the trial instituted criminal proceedings, the court taking a different view of *Dawkes v. Coveleigh* (Style 346) from that taken by Lord Hale. "If a man," says Hale, "feloniously steal goods, and before prosecution by indictment the party robbed brings trover, it lies not; for so felonies should be healed."—*Law Times*.

SWALLOWING A WRIT.—In Manning and Bray's "History of Surrey" we find the following strange story, with a voucher for its truth. In Newington church is buried Mr. Sergeant Davy, who died in 1780. He was originally a chemist at Exeter; and a sheriff's officer coming to serve on him a process from the Court of Common Pleas, he civilly asked him to drink; while the man was drinking Davy contrived to heat a poker, and then told the bailiff that if he did not eat the writ, which was of sheepskin and as good as mutton, he should swallow the poker! The man preferred the parchment; but the Court of Common Pleas, not then accustomed to Mr. Davy's jokes, sent for him to Westminster Hall, and for contempt of their process committed him to the Fleet Prison. From this circumstance, and some unfortunate man he met there, he acquired a taste for the law; on his discharge he applied himself to the study of it in earnest, was called to the bar, made a sergeant, and was for a long time in good practice.—*Irish Law Times*.