

## FLOTSAM AND JETSAM.

## WAGES.

The master of a vessel gave a bottomry bond on ship, freight, and cargo, and also bound himself personally. The bond was indorsed to the owner of the cargo, who began a suit against ship, freight, and cargo, to enforce payment of the bond. The master afterward instituted a suit against the vessel and freight for his wages. The proceeds of the ship were insufficient to pay said bond, but the proceeds of ship and cargo were sufficient to pay both the bond and the wages. The wages of the master were ordered to be paid from the proceeds of the vessel before any portion of such proceeds was appropriated to payment of said bond.—*The Eugenie*, L. R. 4 Ad. & Ec. 123.

## WALL.—See PARTY-WALL.

WILL.—See APPOINTMENT, 1; CHARITY; ELECTION; EXECUTORS AND ADMINISTRATORS, 2; ILLEGITIMATE CHILDREN; LEGACY; MARSHALLING ASSETS; MORTGAGE, 3; TRUST, 1, 3, 5.

## WORDS.

"All the Money of which I die possessed."—See LEGACY, 3.

"Devolve upon."—See SETTLEMENT, 4.

"From six to eight Weeks."—See CONTRACT, 5.

"Nephews and Nieces."—See LEGACY, 10.

"Quantity and Quality unknown."—See BILL OF LADING.

"Restraint of Princes."—See INSURANCE, 3.

"Succession to."—See SETTLEMENT, 4.

"Then living."—See DEVISE, 3.

## FLOTSAM AND JETSAM.

One has heard of a judge of some kind—an Indian Civil Servant, if we are not mistaken—who said that but for the evidence of the defendant and his witnesses, there would be no difficulty in deciding cases. As long as the plaintiff and his witnesses had the ear of the Court the case seemed as plain as possible, but then came the defendant and his witnesses, and jumbled the case up, and made it quite impossible to come to a decision one way or other.

Mr. Fitzjames Stephen, in the dissertation upon the Law of Evidence which precedes his edition of the Indian Evidence Act, mentions a statement made to him by a barrister who had practised in the Courts of Ceylon. This gentleman said that he could always guess that a Cingalese witness was lying if he observed a peculiar twitch in his toes. We wonder whether the toes of perjurers twitch in this country.

A Royal Commission ought surely to be appointed to inquire and report. And perhaps, before long, the common "take off your glove," bawled by the usher to every witness who comes into the box may give place to "take off your boot," in which case, upon the theory of Mr. Stephen's informant, we might possibly learn something that might be of advantage to Justice.

There appear to be some peculiarities in matters legal in the Orient, as the following extracts from some of our exchanges would seem to testify.

Liu Chang-yeo, Governor of Kwangsi, denounces the acting magistrate of Ts'ian Chow for "recklessness and wanton severity." The Governor had already heretofore laid down strict rules concerning the method to be pursued by district magistrates in capital cases. All persons found guilty of murder were to be sent to the high provincial authorities for sentence, and only in extreme cases was authority to be granted, on application, for execution on the spot. Notwithstanding this, the functionary complained of—who was already labouring under a charge of wrongfully releasing a prisoner on bail while in another magistracy—has actually of his own motion beheaded a prisoner, without awaiting the reply to the application he had sent up for permission to execute the sentence locally, on grounds wholly inadequate. The reason alleged for this precipitancy is that the prisoner was in so precarious a condition that, unless executed forthwith, it was doubtful whether he would live long enough to be made a public example. A rescript directs that the offending magistrate be stripped of his rank, and placed on trial to answer for his shortcomings.

The police censors of the south division of Peking memorialise respecting a case of daring highway robbery in broad daylight, which took place on February 13th last. A clerk in a paper shop was proceeding on that day through the southern part of the city, carrying a package containing 420 taels in silver, when the money was snatched from him by a mounted person, whose description is given, and who made off with his plunder. Two Manchu soldiers have been arrested on suspicion, but the case is not clear against them. The assistant magistrate within whose area of jurisdiction the crime was committed is recommended for deprivation of his button, and for further penalties, if he fail in due time to apprehend the actual culprits and recover the stolen property.