

hearing would defeat the object of the suit, the Court of Appeal made an order *in invitum* for a trial *in camera*.

In *Badische Anilin und Soda Fabrik v. Levinstein* (1883, 24 Chy.D., 156)—an action for the infringement of letters patent—the defendant, while under examination, stated that he was working under a secret process, the publication of which might do him an irreparable injury if the patent should turn out to be bad. Justice Pearson continued the trial for several days without requiring the defendant to disclose his process, but eventually called upon him either to do this or to submit to an adverse judgment. Thereupon the trial was continued with closed doors, and the process was made known to the Court, no one being present except the professional advisers of the parties.

From which of these three classes of cases does the ruling of Mr. Justice Denman in *Malan v. Young* derive its authority? There was no allegation that the character of the evidence required the exclusion of the public. So far from there being any danger that a trial with open doors would defeat the object of the action, the presumable object of the case was to make the vindication of the plaintiff's character at least as widely known as the libel which had aspersed it. It was not asserted that a public trial would do an irreparable injury to either party; and the mere prospect of painful disclosures being made is no ground for a hearing *in camera* (*Nagle-Gillman v. Christopher*, 1876, 4 Chy.D., 173). Is it part of the law of England that in an action for libel a Judge of the High Court may, on the bare assertion of an eminent counsel that the interests of third parties will be injuriously affected by a public trial, convert himself into a private arbitrator, and hear the case *in camera*?

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GRAVE-STONES, GRAVE-YARDS, AND GRAVE SUBJECTS.

"Let's talk of graves, of worms and epitaphs."

James the Seventh of Scotland (the gentleman who left England because of a difference with his son-in-law), in 1686, with the advice and consent of the estates of the Parliament of Scotland, passed a law saying that no corpse of any persons whatsoever should be "buried in any shirt, sheet, or anything else, except in plain linen, or cloth of hards, made and spun within the kingdom of Scotland, without lace or point, discharging from thenceforth the use of Holland or other linen cloth made in other kingdoms, all silk, hair or woollen, gold or silver, or any other stuff whatsoever than what is made of flax or hards, spun and wrought within the kingdom, and that under the pain and penalty of 300 pounds Scots, *toties quoties*, for a nobleman, and 200 pounds for each other person, whereof the one-half to the discoverer and the other half to the poor of the parish where the said corpse shall be so interred." While enjoying all the advantages and meekly bearing the burdens of la grippe, we meditated on this Scotch Act, and shuddered to think of the shirt or sheet of plain linen in this