

to specific performance.—*Winn v. Bull*, 7 Ch. D. 29.

Libel and Slander.—An editor had been convicted of stealing feathers, and had been sentenced to twelve months' penal labour as a felon, which sentence he had duly served out. Afterwards, a brother editor called him a "felon editor," and justified by asserting the above facts. Replication, that as he, the convict, had served out his sentence, he was no longer "felon." On demurrer, *held*, a good reply.—*Leyman v. Latimer*, 3 Ex. D. 15.

Lien.—See *Attorney and Client*.

Mine.—1. Defendant, a mine-owner, diverted the natural course of a stream for his own purposes; and, in an unusually heavy rain which followed, the water overflowed the new channel, and caused damage to an adjoining mine, belonging to the plaintiff. *Held*, that defendant might be liable therefor, although if the injury had happened in the ordinary course of working the mine, from a sudden and unusual natural cause not to be foreseen by a prudent person, no liability would have arisen.—*Fletcher v. Smith*, 2 App. Cas. 781.

[To be continued.]

GENERAL NOTES.

MR. CHITTY relates an anecdote of a young attorney who had been carrying on a correspondence with a young lady, in which he had always, as he thought, expressed the greatest caution. Finding, however, that he did not perform what he had led the lady to believe that he would, she brought an action for breach of promise of marriage against him. When his letters were produced on the trial, it appeared that he had always concluded—"this, *without prejudice*, yours faithfully, C. D.'" The judge facetiously left it to the jury to determine whether these concluding words, being from an attorney, did not mean that he did not intend to prejudice the lady; and the jury found accordingly.

MARRIED OR NOT MARRIED?—A curious question has arisen as to Lord Rosebury's marriage. The *Solicitors' Journal* points out that if, after the marriage at the Registrar's, they were described in the parish register of the Episco-

pal Church, where the marriage was repeated, as bachelor and spinster, there is a false entry. A nobleman was indicted in 1850 for having, on a similar re-marriage with a lady, described himself as a widower and his wife a widow. But the judge said it was difficult to say that it was 'wilfully and corruptly,' and the jury found a verdict of 'not guilty.'

MEXICAN LITIGATION.—Few nations are so fond of litigation as the Mexicans; and there is a story which pertinently illustrates the propensity of the Dons for going to law with each other. Don Rafael has been suing Don Esteban for at least ten years in all the courts of the Republic. Over and over again he has lost his cause, and as often has he appealed from the court below to the court above. One day the plaintiff meets the defendant in the Calle San Francisco, Mexico. The adversaries bow stiffly to one another. "How is it, Don Rafael," asks Don Esteban, "that you have not yet carried before the Supreme Court your appeal against the Court of Guadalajara, which, if you remember, was adverse to you?" "Of a truth," replies Don Rafael, "I shall appeal no more, and abandon my claim. I am sick and tired of the whole affair; and, moreover, I have not a single dollar left to pay costs withal." "Is that so, *cabalero*?" quickly returns Don Esteban, pulling out his purse. "Pray do me the honour to accept the loan of fifty dollars, and give notice of appeal at once. It would be a shame and a scandal to let such a fine lawsuit die."

THE PETTY JURY SYSTEM.—At Ballinakill quarter sessions Ellen Moore was indicted for having stolen a shawl. Evidence sustaining the charge having been given, his worship charged the jury, who retired. After a considerable lapse of time one of the jurors came out of the room and was leaving the court. His worship observed the man, and directed the Deputy Clerk of the Peace to ask if he was a juror. Juror.—Yes, sir. Deputy Clerk of the Peace.—Where are you going? The Juror.—Ah, begor, I wouldn't stay there; they're all boxin' and fightin' inside. (Laughter). The juror was then ordered back to the room, and a constable placed on the door. The prisoner was found guilty, and on the jury being discharged, one of them was heard to say, 'Only I threatened to lick him he'd never agree.'