

HUMOROUS PHASES OF THE LAW—RECENT ENGLISH DECISIONS.

John Hampden, who seems to have been as obstinate and opinionated as the celebrated ship-money patriot of the same name, and who deposited £500, and defied all the philosophers, divines and scientific professors in the United Kingdom to prove the rotundity and revolution of the world from Scripture, from reason, or from fact: (*Hampden v. Walsh*, L. R. 1 Q. B. D. 189).

Our author is evidently a lover of natural history, and plays his trump cards when he treats of "The Animal Kingdom in Court." In this chapter a whole Noah's ark full of quadrupeds, bipeds, no-legged animals, pass in review, and we are introduced to the views of the Courts on dogs and bulls, cats and cocks, rams and hogs, doves and deer, turkeys and oysters, pigeons and mice, whales and elephants. Dogs have their rights, as we are told by a Vermont judge, and the rights of the one in question, "the most wickedest kind of a dog," was to be hanged on the first notice. The same judge tells us that in estimating the amount of damages accruing from the bite of a dog, the solicitude and fear of hydrophobia is a proper matter for consideration: (*Goddeau v. Blood*, 52 Vt. 251). Dogs, we are told, have done more mischief than any other domestic animal, and their cases have been oftener before the Court. Dog's bites are sometimes expensive affairs for their owners. The McKessons owned a Siberian blood-hound: a bite or two of his on the person of their watchman cost them \$1500, not to speak of costs. Dodge's dog bit a child who was playing with Dodge's whip, and Dodge had to pay \$250: (*Muller v. McKesson*, 10 Hun. 44; *Meibus v. Dodge*, 38 Wis. 200). Where a boy, inspired perchance by the martial lay of Horatius, stood upon a narrow bridge, and barred the way against a dog, and smote the canine upon the back, it was held that the dog's owner was responsible for the bite that followed. A lady with some meat in her satchel, said to a dog, "Doggie, ain't you going to let me out?" The animal bit her

and the owners had to pay damages. This seems hard, as perchance it was sausages the lady had, and the law allows an assault by a parent in defence of offspring. And so where another lady offered candy to a vicious dog on the street, and the animal sprang at her, and bit her. What if this was another instance of the Garuda stone, and the dog was Mr. Bultitude, of "*Vice Versa*," and the candy was peppermint: (*Phumley v. Birge*, 124 Mass. 57; *Learles v. Ladd*, 123 Mass. 380; *Lynch v. McNally* 73 N.Y. 347).

Many are the bulls referred to—not Irish bulls, but the bucolic fathers of the herd. *Crawford v. Williams*, 48 Iowa, 247, was an action of damages for seduction by a bull, and doubtless its trial drew a crowded audience. In another case, where the killing of a buffalo bull was defended on the ground of its being an animal *ferre nature*, the Court in giving judgment, spoke of a Mrs. Gibson, who, instead of running away as others had done when the bull came towards her, "just flapped her apron at him, and said shoo;" the bull turned and ran away in great alarm, never stopping, but ran clean away. Of this case our author says: "This circumstance shows that in punishing Eve's transgressions the Lord was not unmindful of the increased danger which the infection of her sin subjected her to from the brute creation; for what would a fig leaf have availed in such an exigency?" If we have any fault to find with our author, it is that his sense of the humorous occasionally induces him to show too great a knowledge of the Holy Scriptures. Perhaps, however, that is the tendency of the age and country.

But to continue our inspection of the animal kingdom. We have the case of an Irish bull rushing into a house, knocking down the mistress, and entering the kitchen; then comes the "Sacred ox," with its nasty smell, frightening horses, etc.: (*Cote v. Newburyport*, 129 Mass. 594); and we have two cinnamon coloured bears exhibiting on the street: (*Little v. Madison*, 42 Wis. 643). A