

considerable speed at the time of the collision; they met at an angle; both rolled over and Bradshaw at once got up unhurt. Dockerty rose with difficulty, and was led from the ground; and he died next day in terrible agony, the cause of his death being, beyond all question, severe internal injury caused by the violence of the charge. Witnesses were called from each of the clubs, and their evidence, as might have been expected, was contradictory. Those who were most unfavourable to the prisoner alleged that Bradshaw was off his side, and that the charge was consequently contrary to the rules of the game, and altogether unfair. The rule of offside in football, technical as the term may sound, is yet sufficiently simple. No player may kick the ball unless it is on its way to him. The player must, in other words, to make a fair kick, be between his own goal and the ball. Now, on behalf of the Ashby Club, it was urged that Bradshaw when he made the charge was between the Ashby goal and the ball. This, however, was directly denied by witnesses from the Colville team, and one of the umpires, Mr. Turner, deposed that, in his opinion, nothing unfair had been done.

'In a brief but most able summing up, Lord Justice Bramwell put the matter before the jury in a manner that left little room for hesitation. There was no doubt, his Lordship said, that the prisoner's act had caused the death of the deceased. The simple question was whether the act itself was unlawful or not. No rules or practice of any game whatever can make that lawful which is contrary to the law of the land, and that law is, that no man shall do anything which is likely to cause the death of another. Prize-fighting, when it has a fatal result, cannot have pleaded in its behalf that the combatants acted in accordance with the recognised rules of the ring; and consequently there is a certain sense in which it may be urged that the rules of football were immaterial to the issue which the jury had to try. On the other hand, if the game be a recognised pastime, and one peaceful and harmless in itself, and if a man be playing according to the laws of the game and not going beyond them, it is only reasonable to infer that he is not acting with an intention to hurt or in a manner which he knows will be likely to be productive of death or injury. If, in other words, Bradshaw charged Dockerty with a malicious intention really to injure or hurt him, or if again he had charged him recklessly or carelessly, not actually intending to injure him, but being altogether indifferent whether he injured him or not, he would then undoubtedly have

been guilty of the offence for which he was indicted, if not, indeed, under certain aspects of the circumstances, of murder itself. Accordingly, his Lordship told the jury that the one question which they had to ask themselves was whether the prisoner, when he rushed at the deceased and knocked him over, knew that his act must inevitably do a mischief, or knew that it would probably do a mischief, and was reckless and indifferent whether such was its result or not. The game, Lord Justice Bramwell added, must be, under any circumstances, a rough one; but he himself, speaking as a Judge, was unwilling to deprecate the manly sports of this country, all of which must inevitably be attended with more or less danger. Guided by an exposition of the law so lucid and conclusive, the jury, after a short deliberation, found the prisoner not guilty, on the ground we can only presume, that the whole thing was an unhappy misadventure, and that Bradshaw, although he had played violently, had not been actuated by any malice or guilty of any undue recklessness. They coupled their finding, however, with a suggestion that, in their opinion, the laws of football ought to be altered, and they invited the learned Judge to make some sort of recommendation to that effect. On this point we feel it only due to Lord Justice Bramwell to give what he said in his own words. 'I do not know, gentlemen,' he observed; 'I hardly think I am the person from whom such a recommendation should come. I have never played football, and am not now likely to do so. At the same time, I must say that I think it would be as well even for young men to try to make these accidents as little likely to occur as possible.'

'We cannot help thinking that Lord Justice Bramwell herein took a very proper view of his position and functions. Football is essentially a rough and violent game; but most of our old national pastimes are of this character. Boxing—which, we are happy to believe, has survived the downfall of the prize ring, with all its concomitant brutalities—is not a gentle exercise. Combatants at single stick exchange shrewd blows. A 'swipe' over the legs with a hockey-stick is apt to leave its mark for a week or two. Cricket, racquets, tennis, wrestling, hunting and foot-racing of every kind are all attended with more or less risk; but we ought not, on that account, to deprecate them. Football is essentially the winter pastime of the Englishman, as cricket is his summer game. To make a good football player a man must be sturdy, well-knit, strong, active, good-tempered, quick, and capable of sustaining