

handed to the recorder, who, after perusing it, said: 'I must prevent a tragedy; send for the jury.' Upon returning into Court the jury were discharged without giving a verdict, as they were still unable to agree. It was afterwards stated that the note to the judge ran; 'Ten of us are agreed; but the other two decline to agree while they have breath in their bodies.'

JUDGE STEPHEN'S SUCCESSOR.—Mr. Richard Henn Collins, Q. C., of the Northern Circuit, has been appointed judge of the Queen's Bench Division, in succession to Mr. Justice Stephen, who recently retired. Mr. Collins, who is the third son of Mr. Stephen Collins, Q. C., of Dublin, was born in 1842, and was for some years at Trinity College, Dublin, where he took the highest honors in classics and moral science. He left Dublin before taking his degree, for Downing College, Cambridge, where he was bracketed fourth in classical tripos. He was elected a fellow of Downing in 1865, and was made an honorary fellow of that college on the expiration of his fellowship. He was called to the bar of the Middle Temple in November, 1867, was created a Q. C. in 1883, and was elected a bencher of his Inn in the following year. Both as a junior and a Queen's Counsel, Mr. Collins has been in the enjoyment of a large and lucrative practice for a long time past. The last two noteworthy cases in which Mr. Collins appeared lately were the important licensing appeal of *Sharp v. Wakefield*, in the House of Lords, and the Clitheroe abduction case, in which he was leading counsel for Mr. Jackson in the Court of Appeal. The *London Law Journal* says Mr. Collins is well known as a sound and painstaking lawyer, and his elevation to the bench will be a popular one with both branches of the legal profession. He has been a member of the Bar Committee for some years past, and is joint author of 'Smith's Leading Cases.'

UNAUTHORIZED USE OF A PHOTOGRAPHIC NEGATIVE.—The Supreme Court of Minnesota has recently decided that there is an implied contract between a photographer and his customer that the negative for which the customer sits shall only be used for the printing of such photographic portraits as the customer may order or authorize. The conclusion was that "if the photographer undertakes to make another use of the negative, as by multiplying copies for publication or sale, the customer may enjoin such use; *Moore v. Rugg*, 9 Law Rep. Ann. 53. See also *Pollard v. Photographic Co.*, 40 Ch. Div. 345.

WOMEN AS SOLICITORS.—Why should not women be allowed to practice as solicitors? asks the *Eastern Morning News*. A case of considerable hardship has recently been brought before the Incorporated Law Society. A country solicitor wished to ask to be allowed to article his daughter. She had for several years helped him in his business, and was prepared to undergo the examinations required by statute. Her father urged, in addition, that he had no sons, and that he was anxious to make provision for his daughter. The society, however, in accordance with precedent, refused to admit the lady to the profession.

THE ENGLISH COURT OF APPEAL.—The *Times* is be-

coming a very severe critic of judicial decisions. It was absolutely violent on the subject of the Clitheroe case in the Court of Appeal. "Thunder and lightning rhetoric" accompanied the judgment of the Lord Chancellor, which was "wanting in precision." The Master of the Rolls introduced platform oratory. There is no doubt that Court of Appeal No. 1 has become of late years a somewhat lively tribunal.—*Law Times*.

A POINT IN GERMAN LAW.—A new palace of justice has been in course of erection at Frankfort-on-the-Maine, and being duly completed, the various documents and muniments have had to be removed from the old Law Courts to the new ones. During the process of this removal a bag was discovered containing a bundle of letters, 175 in all, and bearing each one the date 1585. After careful examination, it transpired that the letters were written in Italian, and the superscription of each showed they were intended for persons living in the Netherlands. Considering their age, their preservation has been wonderful, for though the ink has naturally lost much colour, and the style of writing is antiquated, yet they can be easily read. In some of the letters, however, remittances for large sums of money were enclosed, and it is with regard to this money that some doubt has arisen. Is the money to be returned to the descendants of the persons who remitted it, or must it be handed over to the heirs of the deceased and departed Dutchmen to whom the money had been forwarded? Possibly the Crown might lay a claim to it, and the acceptance by it of the treasure would certainly be the easiest way out of the difficulty, if not altogether the most equitable.

LIBEL CASES.—The number of libel and slander actions in the Queen's Bench list is certainly remarkable. No less than four were reported on Wednesday morning. The result of *Malan v. Young* must prove financially disastrous to everybody concerned, the plaintiff getting a judgment for a shilling on each of two slanders, and no costs, whilst the defendant had, of course, to bear his own costs. Some occupations must be much more remunerative than the law which can admit of such luxuries in litigation.—*London Law Times*.

ASSISTING THE JURY.—"Gentlemen of the jury," said a Minnesota judge, "murder is where a man is murderously killed. The killer in such a case is a murderer. Now, murder by poison is just as much murder as murder with a gun, pistol, or knife. It is the simple act of murdering that constitutes murder in the eye of the law. Don't let the idea of murder and manslaughter confound you. Murder is one thing, manslaughter is quite another."

DELAYS OF JUSTICE.—In a recent address Mr. Justice Field said:—"Something must be done to prevent delays. To delay justice is as pernicious as to deny it. One of the most precious articles of the *magna charta* was that in which the king declared that he would not deny or delay to any man justice or right. And assuredly what the barons of England wrung from their monarch, the people of the United States will not refuse to any suitor for justice in their tribunals."