

maining idle meanwhile (Ven., Bk. iii, ch. iv, s. 17). Verily, this was akin to tarrying at Jericho until one's beard is grown. The robbing a man of his beard was, among the Saxons, punishable by a fine of twenty shillings; to shave one like a priest was punishable by a fine of thirty shillings, and to bind him as well as shave him increased the fine to forty shillings (Alfred 35). *Per contra*, in the days of the virgin Queen Elizabeth every beard above a fortnight's growth was subject to a tax of three shillings and four pence, under a law passed in the first year of Her Majesty's reign.

Strangely enough, we are told that "the law says that the limbs of all persons are of equal worth; if a limb of the King be broken, then it is of the same worth as the limb of a villain; yet nevertheless the worth of a saraad to the King or to a breyer (freeman) is more than the saraad of a villain, if a limb belonging to him be cut" (Dim. Code). (The chapters concerning the members of the human body are as follows: Venedotian Code, Bk. III, ch. 23; Dimetian Code, Bk. II, ch. 67; and Gwentian Code, Bk. II, chs. 6 and 7.)

A most important part of the knowledge required of a judge in those days was the worth of wild and tame animals; and Howel and his wise men denounced their malediction and that of all the Cymry upon the judge who should undertake the judicial function (and even upon the lord who might confer it upon him) without knowing these things. We are given, in full detail, the value of horses, kine and swine, sheep and goats, cats and dogs, geese and hawks, fowl and bees, whether male or female, little and big, young, old, or middle-aged: *e.g.*, a hen was a penny, a cock two pennies, a chicken a farthing until it could roost, then a half-penny until it should lay or crow, and after that full price. A foal was worth four pence for the first fourteen days of its life; then to the end of its first year twenty-four pence, forty pence during its second year, and sixty pence during its third year. (Ven., Bk. iii, chs. 4 and 13.) Trees, too, and furniture, are valued in detail.

Some of the critical readers of THE CANADA LAW JOURNAL (and they are legion) may object to my rendering of some of these laws of Howel Dha. We may admit that there may be weaknesses in our version—though we know them not—but who can make anything better than "The worth of a finger, a cow, and one score of silver" out of the Venedotian, "Guerth bys clan buch ac vgeyn aryant," or the Dimetian, "Goerth bys dyn buch ac vgeint aryant atal," or even the Gwentian "Gwerth bys dyn buoch ac ugeint aryant."

R.V.R.

### COMMENTS ON CURRENT ENGLISH DECISIONS.

The Law Reports for July comprise (1891) 2 Q.B., pp. 1-212; (1891) P., pp. 257-294; (1891) 2 Ch., pp. 185-415; and (1891) A. C., pp. 81-296.

INNKEEPER, LIABILITY OF, FOR LOSS OF GUEST'S PROPERTY—ONUS OF PROOF—EVIDENCE—26 & 27 VICT., C. 41, S. 1—(R.S.O., C. 154, S. 3).

*Medawar v. Grand Hotel Co.* (1891), 2 Q.B. 11, was an action against a hotel company for the loss of goods. The plaintiff arrived at the hotel early in the