A young butcher, subject to epileptic fits, escaped from Bicêtre, and soon afterwards stabbed a policeman in a street brawl. Dr. Legrand du Saulle hesitated to say whether the prisoner, who was perfectly composed at his trial, was quite responsible; but Dr. Blanche, another expert, emphatically declared that he was so. "If he had committed a common assault with his "hands, I should have held him irresponsible," said Dr. Blanche, "because he is a man of violent temper, who when his fits are coming on, takes offence at the smallest prevocation but in hottest paroxysms he knows quite well that he must not use deadly weapons. He never did so in the asylum, and his only excuse in this particular instance is that he had been drinking; but he is no more guiltless on that account than an ordinary drunkard." This opinion procured the prisoner's conviction, and it was held to be an important opinion, as establishing the fact that the responsibility of alleged lunatics cannot be settled by any rules of general application but must be decided in each individual case, according to the circumstances. In short, the doctrine now accepted by the French medical jurists is that, before a lunatic can be declared irresponsible for a crime, it must be ascertained whether his malady predisposed him to the perpetration of that particular crime.—*N. Y. Sun.*

Serjeant Ballantine tells a good story, illustrating the danger of taking things for granted in matters judicial:—"A Mr. Broderip," he says, "became colleague with my father upon the decease of Captain Richbell. A barrister, a good lawyer and refined gentleman, he was a fellow of the Zoological Society, and took great delight in the inmates of the Gardens. I cannot refrain from mentioning an anecdote that occurred many years after, when he had been transplanted to the Marylebone Police Court. I was then in some criminal practice, and appeared before him for a client who was suggested to be the father of an infant, and about which there was an inquiry. Mr. Broderip very patiently heard the evidence, and, notwithstanding my endeavours, determined the case against my client. Afterward, calling me to him, he was pleased to say: 'You made a very good speech, and I was inclined to decide in your favor, but you know I am a bit of a naturalist, and while you were speaking I was comparing the child with your client, and there could be no mistake, the likeness was most striking.' 'Why, good heavens!' said I, 'my client was not in court. The person you saw was the attorney's clerk.' And such truly was the case."

It is dangerous to quote even when the quotation is familiar. In the course of the trial of *Doherty* v. *Lowther*, Baron Huddleston remarked that he would have to interpret the rules of racing and of the Jockey Club, however incompetent to do so. Whereupon the defendant's counsel said gallantly: "'I would not hear your enemy say so,' my lord," quoting Hamlet's protest against Horatio's self-imputed "truant disposition." This was reported as "I do not hear, my lord, your enemies say so;" as if the judge had enemies who went about saying that he knew too much about racing, whereas in truth and in fact, the learned baron has no enemies at all. Next day the report was corrected by substituting, "I would not hear your enemies say so," which scarcely mends the matter.—*London Law Journal.*

GERMAN OPINION ON THE HAYVERN CASE.—A notice of approval of Dr. Kiernan's article in the *Chicago Medical Review* of February 1st, 1882, on the Hayvern case, appears in the *Central blatt fur Nervenheilkunde* in which the great German alienist, Dr. Voigt, takes the ground that Hayvern was an epileptic, and cites the following old observation about epileptic insanity from Paul Zacchias (Quæst. Med. legal. Tom. III., cons. 27, u. 7, 8. Frankfurt, 1688):—"Epileptici gravi morbi occasione tentati *ante occasionem et post occasionem per aliquot dies extra mentem sunt.*"—W. A. P.

APPOINTMENTS.—The following judicial appointments have been made:—Hon. Alex. James, of Dartmouth, one of the puisne judges of the Supreme Court of Nova Scotia, to be a judge in Equity of the said court; John S. D. Thompson, Q.C., of Halifax, to be a judge of the Supreme Court of Nova Scotia. In the Province of Quebec, M. H. E. Cimon, Q.C., of Chicoutimi, has been appointed a puisne judge of the Superior Court, *vice* Hon. M. Laframboise, deceased.

MINISTERIAL CHANGES.—Some changes have taken place in the Dominion Ministry, the offices of ministers being now as follows:—Sir John A. Macdonald, Premier and Minister of the Interior; Sir Charles Tupper, Minister of Railways; Sir Hector Langevin, Minister of Public Works; Sir Leonard Tilley, Minister of Finance; Hon. J. H. Pope, Minister of Agriculture; Hon. M. Bowell, Minister of Customs; Sir Alex. Campbell, Minister of Justice; Hon. D. L. Macpherson, President of the Council; Hon. A. W. McLelan, Minister of Marine and Fisheries; Hon. John Costigan, Minister of Inland Revenue; Hon. Jno. Carling, Postmaster General; Hon. A. P. Caron, Minister of Militia; Hon. J. A. Chapleau, Secretary of State; Hon. Frank Smith, without portfolio.

The Provincial Ministry has also been re-constituted under Hon. Mr. Mousseau, as premier and attorney-general.

A writer in *Popular Science* for August gives a curious account of the origin of the legal phrase, "Witness my hand," etc. He says that it was derived from the practice prevailing when none but clerks and learned men could write, of daubing the hand with ink and slapping it down on the paper, thus leaving the imprint. We suspect that this is too deep. Probably unlearned men made their mark instead of resorting to such awkward and unnecessary palmistry. Even the North American Indians had each his peculiar and ingenious device, generally in the form of an animal. When one writes his signature to an instrument he "puts his hand to it." So one is said to put his hand to a work. A man's writing is called his "hand."—*Albany Law Journal.*

Probably few cases of modern times have reached the acme of vicissitude and delay attained by the action of *Neill* v. *The Duke of Devonshire*, now in the course of hearing before the House of Lords. The dispute arises out of a claim to a right of fishery in the county of Cork, and is said to have been constantly before the courts of Ireland for the last thirteen years. The proceedings commenced in 1869 in the form of an action for trespass, which after a trial of more than a fortnight ended in a verdict for the defendants. A similar result attended another action four years later. Next, an order having been granted for a new trial, the jury disagreed. The following year a verdict was obtained by the Duke, but was subsequently set aside. Then came another trial, at which the jury again disagreed; then a seventh hearing, which ended in favor of the Duke. Shortly afterwards application was made to the Divisional Court for a new trial, but was refused, and the refusal was subsequently affirmed by the Court of Appeal, by a majority of two judges to one. The further appeal from this judgment is now before the House of Lords. If the decision is upheld the litigation will of course be concluded, but, if otherwise, the whole matter will be reopened for another indefinite period. Admitting the dispute to be intricate and voluminous to the last degree—the muniments of title, we believe, extend over six centuries and a half—the possibility of justice being so procrastinated betokens the hardly disputable fact that our judicial system is still far from absolute perfection.—London *Law Times.*