

that the goods were lost through the negligence of the bailee.—*Mayo v. Preston*, Supreme Judicial Court of Massachusetts. Decided June, 1881.

Rape—Evidence—Reputation for chastity.—In a prosecution for rape the character of the prosecutrix for chastity is involved in the issue, and may be impeached by general evidence of her reputation, but particular instances of criminal connection with other persons than the defendant are inadmissible.—*Commonwealth v. Harris*, Supreme Judicial Court of Massachusetts, June, 1881.

Action by female servant against master for persuading her to illicit intercourse.—A master persuaded his female servant to have sexual intercourse with his minor son, to whom she was at the time engaged to be married. The son afterwards refused to fulfil his engagement. Held, that these facts afforded the servant no ground of action against the master.—*Jordan v. Hovey*, 72 Mo. Reports.

Bills and Notes—Undisclosed principal—Intended corporation.—If an agent authorized to execute a promissory note executes it in his own name, whether he discloses his agency or not, his principal may be sued on the note, unless it is clear that both parties to the note intended that the agent alone should be liable; and parol evidence is admissible to prove the intent. In this case members of a Masonic lodge which had made an abortive attempt to become incorporate, were held liable upon a note executed by the officers of the lodge for the purposes of the lodge, with the approval of the members.—*Ferris v. Thaw*, 72 Mo. Rep.

Husband and Wife—Agreement to dissolve marriage contract.—An agreement between husband and wife, having for its object a dissolution of the marriage contract, is contrary to sound public policy; and a note and mortgage, executed in pursuance of such an agreement, are illegal and void.—*Cross v. Cross*, Supreme Court of New Hampshire, 58 N. H.

GENERAL NOTES.

The London *Lavo Times* says: "The law with regard to bees is rather peculiar. A dispute as to the ownership of a swarm came recently before Mr. W. F. Woodthorpe, the judge of the Belper county court, and it was contended that, being *ferre nature*, there could be no property in them, and that therefore the

plaintiff, from whose land they had strayed to that of the defendant, could not demand their return or damages for their loss. It was proved, however, that the plaintiff had followed the swarm on their departure from his own land, and had not lost sight of them until he saw them alight in the defendant's garden. On the strength of the following passage from Blackstone (vol. ii. p. 392): "Bees are *ferre nature*, but when hived and reclaimed, a man may have a qualified property in them, by the law of nature as well as by the civil law. Reclamation, that is, hiving or including them, gives the property in bees, for though a swarm lights up on my tree, I have no more property in them till I have hived them, than I have in birds which make their nest thereon; and therefore, if another hives them, he shall be their proprietor; but a swarm which fly from and out of my hive are mine so long as I can keep them in sight and have power to pursue them, and in these circumstances no one else is entitled to take them," judgment was entered in favor of the plaintiff for the amount claimed as the value of his truant bees."

Judge Clifford died on the 25th Aug., at Corinth, Mo. He was born in New Hampshire in 1803. He removed to Maine in 1827. He served three terms in the Legislature of that State, two as speaker. He was attorney-general of that State four years. He served two terms as representative of that State in Congress under President Polk. He was attorney-general, commissioner to arrange the treaty with Mexico, and minister to that country. In 1838 he was appointed associate justice of the Federal Supreme Court, and sat on that bench until last October. He was also a member of the Electoral Commission. He suffered a paralytic shock last October, but the immediate cause of his death was an injury to a foot, causing gangrene and necessitating amputation. He was a man of pure character and considerable technical learning. His great industry, experience and familiarity with Federal questions made him a valuable adviser on the bench. His mental faculties have for some time been clouded, but in his best estate he was not a great lawyer. He has faithfully discharged his onerous duties, but he made them much more onerous than was necessary. He loaded the books and vexed the profession with long and tedious opinions on trite subjects, especially in his later years. He was of a school of judges quite apt to flourish and very useful in a new court and community, but quite out of place on the bench of the highest court in the country.—*Albany L. J.*

ECCENTRIC BEQUESTS.—A Manchester lady bequeaths a surgeon £25,000, on condition that he should claim her body and embalm it, and "that he should once in every year look upon her face, two witnesses being present." Another lady, of an economical turn of mind, desires that if she should die away in Branksome, her remains, after being placed in a coffin, should be inclosed in a plain deal box, and conveyed by goods train to Poole. "Let no mention," she states, "be made of the contents, as the conveyance will not be then charged more than for an ordinary package." A French traveller, recently deceased, desired to be buried in a large leather trunk, to which he was attached, as it "had gone round the world with him three times;" and an English clergyman and justice of the peace, who at the age of eighty-three had married a girl of thirteen, desired to be buried in an old chest he had selected for the purpose. "Tastes differ in the matter of burial. One man wishes to be interred with the bed on which he has been lying; another desired to be buried far from the haunts of man, where nature may "smile upon his remains;" and a third bequeaths his corpse for dissection, after which it is to be put in a deal box and thrown into the Thames. One man does not wish to be buried at all, but gives his body to the Imperial Gas Company, to be consumed to ashes in one of their retorts; adding that should the superstition of the times prevent the fulfilment of his bequest, his executors may place his remains in St. John's Wood Cemetery, "to assist in poisoning the living in that neighborhood." A person may approve of cremation himself, but it is a little hard when he requires his relatives to approve of it also.—*The Spectator*.