

A DISQUISITION ON NAMES.

State. The man was brought to Vermont, and at once recognised and identified by scores of people as the veritable Colvin. He was partially insane and could give no reason for his absence, but freely admitted that the Boorns had neither hurt him nor frightened him away. The Boorns were released, although the Court was at a loss to know what course to pursue for the purpose.

We have selected these cases, and presented the facts in detail, for the purpose especially of illustrating the expediency of upholding a doctrine, that a conviction should not be had merely upon the confession of the prisoner without any other proof of the *corpus delicti*—a doctrine which has been recently questioned in the case of *Regina v. Unkles*, 8 Ir. L. T. R. 38.—*Irish Law Times*.

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The case of *Kinnersley v. Knott*, 7 C. B. 980; 18 L. J. C. P. 281, has long been quoted as a solemn adjudication on questions of misnomers in pleadings; but now that the ancient strictness in pleading, even at common law, is no longer insisted upon, the most valuable portion of that case must be regarded to be that portion of it which does not appear in the reports, but which has been furnished us through the courtesy of Professor Ordronaux, State Commissioner in Lunacy:

In this case the plaintiff, as indorser of a bill of exchange of £65 10s., brought an action against the defendant as the acceptor, and declared against him by the name of "John M. Knott," being that by which he had signed the note, but without stating in the declaration that the defendant had so signed it. To this declaration the defendant demurred specially, and assigned as the ground of his demurrer that the declaration had not properly set forth his Christian name, nor assigned any reason under statute 3rd and 4th Wm. IV., ch. 42, for not doing so.

Mr. Serjeant Talfourd, on behalf of the defendant, said their lordships were often told that a case rested on a word, but here it rested on a letter only. It was his duty to contend, both upon principle and precedent, that this was a good ground of demurrer. The court had decided that the letter "I," being a vowel and capable of pronunciation, might be

taken to be a Christian name, but they had at the same time intimated that such would not be the case with a consonant, which, as it could not be sounded alone, would be deemed to be not a name but an initial letter only. Now, in this case, "M" was plainly an initial letter, for it could not be pronounced by itself. Standing by itself, therefore, it meant nothing. He was sure a very eminent authoress (Miss Edgeworth), whose loss they had recently to lament, was of opinion that all the letters of the alphabet, by the mode in which they were explained, were rendered little more (to use judicial language) than a "mockery, a delusion, and a snare"—that A B C D, etc., meant A B C D, etc., and nothing more; but even if it would avail him, he feared his friend could not rely upon such authority.

The Lord Chief Justice: You say the "M" means nothing—then let it mean nothing. Would a scratch be demurrable?

Mr. Serjeant Talfourd: I say that "M," by itself, cannot be pronounced and means nothing; but here it does mean something, which something ought to have been stated or explained under the statute. Suppose a person of the name of John Robbins, the court would surely hold a declaration bad which described him by the word John and figure of the red-breast? In like manner the court would hold this declaration bad because it either put a sign for one of the defendant's names or described it by the initial letter. A consonant by itself was a mere sound without meaning. The letter H, indeed, by the custom of London and some other places, was no sound at all [laughter], though elsewhere it often protruded itself on all occasions. [Renewed laughter.]

Mr. Justice Maule: I had a policeman before me as a witness the other day, who told me he belonged to the "hen" division, and it was not until at some farther stage in the case that I discovered it was not a division designated by the name of a bird, but by "N," the alphabetical letter. [Great laughter.]

Mr. Serjeant Talfourd: It will probably be contended that this person might have been christened in the manner that the bill is signed, but I submit that the court will not intend that. It is true, we often hear of absurd Christian names, and