

## FLOTSAM AND JETSAM.

broke out with an expression of surprise and astonishment to find the law so defective. To an inquiry as to what led to such a sweeping remark, the student informed Mr. B. that, in his absence, a client from a neighbouring town had come into the office, and told him that a man had just got on to his horse and rode off, and he wanted to know how he could get him back, or get satisfaction for his loss. He had thereupon gone to work and looked into the index of every law book in the office, to find something about "horse" or "saddle," and was surprised to find that the law had made no provision for either of them. He had therefore become satisfied that the client was without remedy, and had so informed him, and he had gone home on foot. It is needless to say that Mr. B. informed his student that a lawyer sometimes was able to settle a question about a specific article by a course of reasoning drawn from general principles, although the law writers had been so culpably negligent as to omit that particular article. And thereupon the student gravely concluded that the index of a law book was not always the surest mode of settling legal principles in their application to particular cases.—*Albany Law Journal*.

**BREACH OF PROMISE OF MARRIAGE.**—The subject of "Suits for Breach of Promise" has recently been well treated by the *New York Times*, which significantly remarks in the very first sentence that these suits have "not yet disappeared from the records of our courts." The fact that actions for breach of promise of marriage are almost invariably brought by women, is considered remarkable, since the ground of the action is a breach of the contract, and the man has as good a right to sue in a proper case as the woman. The position and characteristics, the abilities and resources, of the man are different from those of the woman, and hence the Courts tolerate actions by women for breach of promise with better grace than actions by men. But these suits, even when brought by women, are falling more and more into discredit, and our contemporary appears to be as delighted with this as we are ourselves. The *Times* also refers to the language of Helps in his last book, where he says: "There ought to be no such cases. It is perfectly monstrous that any person should be compelled to marry by any such pecuniary consideration. . . . If there is reluctance on either side, the project should fall to the ground." And so specific performance is not decreed. Why, then, should there be

damages as for breach of contract? The *Times* concludes its remarks by suggesting that it is only in aggravated cases of wrong that this suit is justifiable.—*Albany Law Journal*.

THE conviction that Dr. Kenealy is a coward is rapidly gaining ground. The following extracts from two of his speeches is strong evidence on the point, and ought not to be lost. They are supplied by the *Glasgow News*:—

CITY HALL, GLASGOW, April 13, 1875.—  
"Now, I have studied the constitutional law of England, and I think I have made myself master of it—(hear, hear)—and I am going to Parliament on Thursday in order to hear from the Chancery-lane attorney's clerk his notions of the constitutional law."

HOUSE OF COMMONS, April 16, 1875.—"*I do not profess to be a very profound student in constitutional law, or in the usages of this House, but I have really heard no language cited by the right hon. gentleman from the petition which comes properly under the designation of slander.*"

THE GAIKWAR.—Mr. Fitzjames Stephen, Q. C., writes to the *Pull Mall Gazette* on the Gaikwar trial, and expresses an opinion that there could be no doubt about his guilt. He adds that there was no backbone in the defence, and that Serjeant Ballantyne's cross-examination, so far from breaking down the case for the prosecution, simply enveloped the case in a cloud of sophistry.—*Law Journal*.

LORD ST. LEONARDS' SECRET.—A charming letter from old Lord St. Leonards is published. Somebody wrote to him once congratulating him on his good health, and saying that he seemed to have the secret of long life. In reply he wrote as follows:—"Your kind present will be a great ornament to my library. I must altogether disclaim the possession of the secret of long life. My own great age—in my 91st year—is singular in this respect: its operation on the two classes to which I belong. I am the oldest peer in the House of Lords, and therefore I am called the father of the House; I am the oldest member of the Bar, and therefore I am called the father of the Bar. After so long a period, never withdrawing from the duties attached to the position which I have occupied, I have ultimately retired from public life, but still find myself called upon to exercise the faculties of which a kind Providence has left me in possession. I lead a life which seems likely to extend itself. I enter into no speculation,