

HUMOROUS PHASES OF THE LAW.

the great American Eagle, but has prowled around with editorial scissors and an expansive note-book into the Courts of our Dominion, both East and West, into the sacred precincts of Westminster Hall, the Four Courts of Dublin, the Parliament House of Edinburgh, among the judges and advocates of old Europe, and even leaps half way across the Pacific and quotes the learned deliverances of the Supreme Court of the Hawaiian Islands.

We greet the arrival of this new edition, "revised and enlarged," with even greater pleasure than we did the first. The bulk of the book is more than doubled, while the gravity is not increased one whit; although it deals extensively with such serious subjects as "Sunday," and "the Clergy." "Law," through a very proper maid, is by no means always dull; though never naughty, she is often nice. She is, in fact, chameleon-like, and depends much upon what she is near. Mr. Browne often finds her with a smile on her face, a humorous twinkle in her eye, a witticism upon her lips; when he does, he seizes the bright look or word with pen or pencil; thus he finds waiting upon her a pleasure and a profit, but no penance. He knows full well how to write a law book that will both instruct and entertain. He is able to make "the dry bones of our science sparkle with phosphorescent light at night."

This new volume forms another of the "Legal Recreations" published by Sumner Whitney and Company, of San Francisco. This series has been coming out far too slowly for the last half dozen years.

The new chapters treat of such interesting subjects as "Newspaper Law," "Practical Tests in Evidence," "De Minimis," and "Limitations of the Privileges of the Clergy;" while much has been added to such topics as "Negligence," "Nuisance," "Animals," "Sundays," "Wagers," and "Trade-marks." Let us first steal some of the honey which the busy B. has gathered through the days that have passed since 1876, and stored in this

book, and then dive into his other treasures that he now first opens up to the general reader. We say general reader, for here we find much that has already interested, amused or instructed the professional in the pages of the *Albany Law Journal* (of which since September, 1879, our author has been the able and indefatigable editor); and this is a book in which any reader of intelligence, be his profession or calling what it may, will find much to interest and profit.

Christianity is part of the law of our land, so we will glance first at the new things he gives upon "The Law of Sunday." Visitors to the New England States will find it well to remember that down East one must not travel on the Sabbath to pay a visit of pleasure to a friend, nor to sell pigs, nor to swap jewelry; nor can one call on a friend in coming back from a funeral in order to be cheered up. If one does any of these things, and meets with an accident, he is remediless: (*Cratty v. Bangor*, 57 Me. 423; *Bradley v. Rea*, 103 Mass. 188; *Myers v. Meinrath*, 101 Mass. 366; *Davis v. Somerville*, 128 Mass. 594). On the other hand, if you hire a horse on the Lord's-day and injure him, you will not have to pay the owner, provided you were driving for pleasure; it will be far otherwise if the horse was hired for any work of necessity or charity: (*Parkers v. Latner*, 60 Me. 528; *Doyle v. Lynn, & Co., Ry.*, 118 Mass. 195). If one is hurt solely by a defect in the streets while walking in the City of Portland, after drinking a glass of beer in a beer shop, he may recover damages from the city: (*O'Connell v. Lewiston*, 16 Me. 34). We thought there was no beer to be had in beer-shops in the home of the Maine Liquor Law! Although the moral and divine song says, "Let dogs delight to bark and bite," they must not do the latter to human bipeds on the Sabbath; it is neither a work of necessity nor charity. And in Iowa they must not bark and frighten the horses of one who is breaking the law by driving on business on that day: (*White v. Lang*, 120 Mass. 598;