

work done by the plaintiff for a customer who wanted his carriage horse made fashionable by docking his tail. The defendant counterclaimed for damages on account of the alleged unskillful manner in which the operation was performed. Kentucky is famous for its horses, and the Legislature has not forgotten to enact a statute prohibiting cruelty to animals in general, neither did the Court in question forget the traditions of the state in its care for the noble "houyhnhnm" in particular, for we note that the presiding judge held that the action could not be maintained as the contract was in violation of the statute. He said: "The statute is both just and humane. That docking is a work of unnecessary cruelty there can be no room for doubt, unless the alleged style customary among fashionable horse owners and approved by them, can be held to justify it. The Court is unwilling to hold that a statute may be repealed by a fact. That it was violated by both plaintiff and defendant seems clear. The horse's tail, as every one knows, is of immense value to him. It is for many purposes his only means of defence. The act of cutting, or docking, is cruel in itself and still more cruel in its consequences. It is too well settled to need citation of authorities that a right of action cannot accrue to a party out of his violation of the law. It is also well settled that where both parties have violated the law the Court leaves them where it finds them, and refuses to give either relief. The case will be dismissed when placed on the trial docket."

Judging from the last issue of the *Canada Gazette* the morals of the Dominion in respect of the seventh Commandment do not seem to be in a very healthy condition. It contains eight notices of applications for bills of divorce, five by women and three by men. This would not be many in comparison with many other countries, but it is an increasing number, and in a country which boasts of its moral tone, where there is no Divorce Court, and where the proceedings are still troublesome and expensive, even though they have been greatly simplified and methodized by the labour and skill of Sir James Gowan, K.C.M.G., Chairman of the Committee of the Senate which has charge of such matters.