

EDITORIAL NOTES—VICE-ROYALTY AT OSGOODE HALL.

law would, in so far as Scotland is concerned, be in a retrograde direction. It appears that formerly, in Sootland, the rule *matrimonia debent esse libera* was closely adhered to, and that no action for damages was allowed, based upon the mere fact that a promise to marry had been broken (Erskine I. vi. 3). But gradually the law became more and more liberal towards the unfortunate "pursuers" of such actions, and even before the Jury Court became a Scottish institution, the hearts of their stern "Lords" had been touched, and in determining the actual loss they gave something over and above, by way of consoling wounded feelings, and at last wounded feelings alone were held sufficient to warrant a decree for even substantial damage. In *Hogg v. Gow* (1812, F.C.) the matter was fully argued. A strong attempt was made to have the old law of Scotland recognized, and to show therefrom that no damages could be awarded against the defender for refusing to "implement his promise of marriage." The matter was carried to appeal, and the majority of judges agreed in awarding heavy damages. Lord Meadowbank asked if it was no wrong to inflict perhaps the severest distress the human mind can suffer. Referring to the expression in the old case of *Grahame v. Burn*, (1685, M. 8472), "loss of the market," he thus explains it. "How does she lose market? Why she loses it because she is not disposed herself to fall soon in love again. Her heart is used; it is worn; she is less attractive to others. A person of any kind of worth of character that has suffered the calamity of being tricked by a male jilt, is very little disposed for some time to listen to courtship; she is rendered incapable of it." Waxing eloquent, he goes on to say: "Are we at this time of day, in the commencement of this century, to find that we are still in the

midst of barbarism; that we are still so blind to the worst of injuries, to the greatest of wrongs, that we are not to give redress." The writer in the *Law Magazine* forcibly remarks, "had his lordship been able to look forward to the old age of this century, he would have found a large majority of the House of Commons returning to what was, in his opinion, "the midst of barbarism."

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HALL.

It would not be fitting that so auspicious an occasion as the recent visit of the Governor-General and of Her Royal Highness the Princess Louise to Osgoode Hall should pass without record in these pages. At the same time no lengthy account of an event, so fresh in the memory of all, is needed, nor would our space permit of it.

Shortly after four o'clock His Excellency and the Princess arrived at the Hall, accompanied by the Lieutenant-Governor and Miss Macdonald, the Hon. Mr. Evarts, Secretary of State of the United States, and Colonel Gzowski, A.D.C. The Viceregal party were received at the entrance by Hon. Edward Blake and a reception committee of the Law Society, and conducted to the library, where a full representation of the Bench and Bar and a brilliant gathering of ladies had assembled. Among those present were Mr. Justice Gwynne, of the Supreme Court, Chief Justice Moss, Chief Justice Hagarty, Chief Justice Wilson, Chancellor Spragge, Mr. Justice Burton, Vice-Chancellor Blake, Mr. Justice Cameron, Mr. Justice Osler, Hon. Mr. Mowat, Judge Mackenzie, the Mayor of Toronto (Jas. Beatty, Q.C.), and others.

His Excellency and the Princess having been conducted to a dais Hon. Ed-