

REVIEWS—FLOTSAM AND JETSAM.

"If she did meet with an accident and was held entitled to damages, what would she get in hard cash?" asked Jones.

"'Tis impossible to say. It would depend upon so many things. In one case where an old man of seventy, who was very feeble, fell at night into an opening for a drain in the sidewalk, which was covered with boards laid at right angles with the others and projecting some two inches, over which he stumbled, the jury gave \$4,000 damages; but the court held that excessive, as the old man was insolvent and incapable of much labor.*

"That was a large sum for injuries."

"But the old fellow died. We go in here," I added.

"You may, I will not," replied Jones, as he leant against the railing of a bridge over a little stream.

"Well do not stand there; if the board gives way and lets you down, you will have no remedy against the city; for it is not bound to keep up railings strong enough for idlers to lounge against, or children to play upon.† Look out, there is another sled!" As I rang the door bell I heard Jones mutter:—

"Those boys ought to be indicted for obstructing the sidewalk in such a way."

"True for you," I mentally ejaculated, "I remember that one of those bewitched and besaddled wheelbarrow concerns, yecept velocipedes, was held to be an indictable obstruction.‡"

Judge Redfield, no mean authority, says of Mr. Rogers' book: "The book is as interesting as a novel, and more instructive in the law than most books addressed particularly to that object." Speaking of it in general terms, both as to the subject, its treatment and appearance, it may not be inappropriate to describe it in a Pickwickian manner as the "neatest, gwacefullest, pwettiest thing that ever wan upon wheels."

* *Hutton v. Windsor*, 34 Q. B. Ont. 487.

† *Stickney v. Salem*, 3 Allen 374; *Gregory v. Adams*, 14 Gray 242.

‡ *Reg v. Plummer*, 30 Q. B. Ont. 41.

FLOTSAM AND JETSAM.

A physician reproaching a lawyer with what Mr. Bentham would, perhaps, have called the "uncognoscibility" of legal nomenclature, said: "Now, for example, I never could comprehend what you lawyers mean by *docking an entail*." "My dear doctor," replied the lawyer, "I don't wonder at it; but I will explain; it is what your profession never consent to—*suffering a recovery*."

THROWING AN EGG AT A JUDGE.

[From *Punch*.]

ON FINDING THE FRAGMENTS OF AN EGG UPON THE CHAIR OF VICE-CHANCELLOR MALINS.

Hens sit, and judges sit—'tis fair to match 'em,
Since one has lately given much pains to Hatch-
am,

And laid a yoke (some say) on our theology;
But this egg surely had its nest mistaken.
Eggs in the Rolls would scarcely need apology,
And every one has heard of Eggs and Bacon.
How then account for this misplaced ovation?
Why thus:—Our memory may have its failings,
But we account for it by this quotation,
"Ab ovo usque ad (Flacco pace) Mal-ins."

The *London Times*, in speaking of the attack on the Vice-Chancellor with an egg, says: Such a scene is happily of very rare occurrence. The old law reports, however, give a few cases of the kind, which seem to have been punished with extreme severity. In "*Dyer's Reports*" (reprinted 1688, for assaulting a witness in court a man was condemned to imprisonment for life, to forfeit his goods, and to have his right hand amputated at the "Standard in Cheape." A case more directly in point is reported in the quaint Norman French of the law courts as follows: "*Richardson ch. Just. de C. Banc al Assizes at Salisbury in summer 1631 fuit assault per prisoner la condamne pur felony que puis son condemnation ject un brickbat a le dit Justice que narrowly mist, and pur ce immediately fuit indictment drawn per Noy envers le prisoner and son dexter manus ampute and fix al gibbet sur que luy mesme immediatement hange in presence de Court.*" The Noy herein mentioned was the Attorney-General. Another case reported in the same book (page 188 b, marginal note) records the fact that for striking Sir Thomas Reynolds with a stick Sir William Waller was fined £1,000 and ordered to be imprisoned during the Royal pleasure.

CIRCUMSTANTIAL EVIDENCE.—Mr. Jules de Gastyne, in the Parisian journal *Le Nain Jaune*, gives a very remarkable story of circumstantial evidence in a Spanish criminal case, the names of the actors in which are unfortunately suppressed. According to the chronicler, a quarrel arose between two gentlemen at a Madrid theatre, apropos of a pinch of snuff offered by one to the other, and causing the latter to sneeze in