argued in these columns at the time, and it has since been generally accepted as sound law, that his qualification was solely as a serjeant, and that a Queen's Counsel who has been a judge is no longer a Queen's Counsel. Mr. Justice Mellor was perhaps best known to the public as a prominent figure in the trial at bar in the case of *Regina* v. *Castro*. It fell to his lot to pass sentence in that case, and he addressed the defendant by his several aliases of Castro, Orton, and Tichborne, and on awarding a punishment of fourteen years' penal servitude, added that it was "wholly inadequate to the offence."

In his later days Mr. Justice Mellor suffered from the infirmity of deafness, which is the terror of judges, and he shared some of the aversion of Sir James Bacon to the beard on the upper lip. He used to take great trouble to hear what was said, and would insist on its being repeated in a louder tone if he did not hear. Sometimes in a criminal trial a witness would have to repeat words which he modestly spoke in a low tone. The judge, misunderstanding his motive, would sternly order him to speak out, whereupon the witness would in desperation shout out at the top of his voice words which no one would be proud of repeating. Mr. Justice Mellor was perhaps more at home in Criminal Courts, where his knowledge of life, common sense, and genuinely kind manner were conspicuous. He was, with Mr. Justice Blackburn, one of the special commissioners who tried the murderers of Sergeant Brett at Manchester. An attempt was made to show that the prisoners in Brett's charge when he was shot in an attempt at rescue were held under an illegal warrant; but the judges decided against the contention without any doubt. The eighteen years during which Mr. Justice Mellor was in the Queen's Bench make him conspicuous in the history of the time; but his *role* in *banco* was rather as moderator of the brilliance, learning, and vigour of his colleagues of that day than as contributing to the shining qualities of the Bench. He did not illuminate the law by learning or originality, but he may safely be numbered among the good judges of his day.

GENERAL NOTES.

LEGAL POSITION OF FRENCH PENNIES.—Some misapprehension prevails in regard to the legal position of French coins in England. By an Act passed in 1870 (33 Vict. c. 10, s. 5) it is provided that 'no piece of gold, silver, copper, or bronze, or of any metal or mixed metal, of any value whatever, shall be made or issued except by the Mint, as a coin or a token for money, or as purporting that the holder thereof is entitled to demand any value denoted thereon; every person who acts in contravention of this section shall be liable on summary conviction to a penalty not exceeding twenty pounds.' A person who pays a penny omnibus fare with a French penny, 'issues a piece of bronze as a coin or a token for money,' and is liable to the penalty of the section. French pennies are, therefore, not merely an illegal tender in the sense that the creditor may refuse to take them, but in the sense that it is penal to offer them and an abetting of a penal act to take them. If the Government offices were to accept these coins the Queen's servants would be assisting in the commission of a penal offence of which they themselves would be guilty if they sent the coins to the bank. *Law Journal*, (London).

INFERENCES FROM LITERARY STYLE.—In the Court of Appeal of Ontario, on March 1 an appeal from the Common Pleas Division in a case of *Scott* v. *Crerar* was heard. It was an action for a libel contained in an anonymous letter circulated among members of the legal profession in the city of H., charging the plaintiff with unprofessional conduct No direct evidence was given to show that the defendant was the author of the letter, but the plaintiff relied upon several circumstances pointing to that conclusion. The trial judge refused to admit some of the evidence tendered. It was held, reversing the judgment of the Court below, that evidence of the defendant being in the habit of using certain peculiar or unusual expressions which occurred in the letter was improperly rejected; but *Semble* that a witness could not be asked his opinion as to the authorship of the letter; and *per* Burton, J.A., that evidence of literary style on which to found a comparison, if admissible at all, is not so otherwise than as expert evidence.—*Canadian Law Times.*

THE COSTS OF JUSTIFYING LIBELS.—When Mr. Lever's trial ended in his acquittal, the prosecutor Mr. Hunter, was ordered to pay the costs of the defence. The costs which Mr. Lever had to pay to his own counsel and solicitors amounted to £2,205. Of this he recovers from Mr. Hunter, under the order of the Court, £558, so that he is actually out of pocket to the extent of £1,647. The *Liverpool Daily Post* says that Mr. Lever's losses are not caused by any peculiarities of his case, but are the necessary consequence of the position which he took up. If a public-spirited man takes upon himself to expose a bad system he must go to enormous expense in collecting evidence to support his plea, while the prosecutor has, in general, but, few points, and those of the simplest nature, to prove. The result is that, even if the truth of the libel be established, the convicted man undergoes no punishment beyond the payment of costs; while the defendant, if found guilty, may be sent to gaol, and, if acquitted, has to face the certainty of heavy pecuniary loss.—*Law Journal* (London).