

EDITORIAL NOTES.

received a second series of "Legal Recreations," in the shape of a volume by the same author, on "The Law of Hotel Life; or, the Wrongs and Rights of Host and Guest." We have perused "Hotel Life" with great pleasure, and had intended to give a somewhat extended review of it in our present issue, but have been compelled to hold our notice over till next month. In the meantime we can cordially recommend Mr. Rogers' book to all who recognize the advantage (and who does not) of a skilful blending of the *utile cum dulci*.

We notice in the last batch of English Statutes, the new Bankers' Book Evidence Act, 42-43 Vict. c. 11. By this Act (s. 1) a copy of any entry in a banker's book shall, in all legal proceedings, be received as *prima facie* evidence of such entry, and of the matters, transactions and accounts therein recorded; but (sec. 2) it must be first proved that the book was, at the time of the making of the entry, one of the ordinary books of the bank, and that the entry was made in the usual and ordinary course of business, and that the book is in the custody or control of the bank. By sec. 6, a banker, or officer of a bank shall not, in any legal proceeding, to which the bank is not a party, be compellable to produce any bankers' book, the contents of which can be proved under this Act, or to appear as a witness to prove the matters, transactions or accounts therein recorded, unless by order of a Judge made for special cause. By sec. 7, a Court or Judge may order that any party to a legal proceeding be at liberty to inspect or take copies of any entries in a bankers' book, for any of the purposes of such proceeding; which order may be made without summoning the bank or any other party.

Of the others, the Habitual Drunkards' Act, 1879, aims at establishing a number

of licensed retreats, to which habitual drunkards may, on their own application, be admitted, and in which they will, when once admitted, be liable to be detained to the end of the term, which was originally proposed as the limit of their restraint. The inmates of these retreats, moreover, under this Act, will subject themselves to criminal punishment for wilfully neglecting or refusing to conform to the rules of the retreat. "Those dreadful fellows, the critics," appear by no means to approve of this statute. The *Law Times* observes, "although we fully expect that it will prove a complete failure, we cannot but regret that so ill-framed a legislative measure should find its way into the statute-book."

At one of the public debates of the Legal and Literary Society not long ago, the distinguished Judge, who presided on the occasion, expressed very decided disapprobation of the present action for breach of promise of marriage. It is interesting to note, in connection with this, that, during the last Session of the British House of Commons, Mr. Herschell proposed, and succeeded in carrying, by a very fair majority, the following motion:—that "the action for breach of promise of marriage ought to be abolished, except in cases where actual pecuniary loss has been incurred by reason of the promise, the damages being limited to such pecuniary loss." The *Scottish Law Magazine* remarks, that the House of Commons is as yet composed only of representatives of men, and hints that Mr. Herschell could scarcely have been so bold if he had an enraged female constituency to face. It objects that this resolution attempts to regulate, by Act of Parliament, what has always been considered a jury question, depending on the special circumstances of each case—and points out that the proposed alteration in the