

FLOTSAM AND JETSAM.

A SOMNAMBULIST CONVICT.—According to the Scotch papers, a prisoner was recently convicted at Edinburgh of having, while in a state of somnambulism, murdered his child, and has since been set at liberty. Cases of this kind are very rare, but, assuming the somnambulism to be clearly proved, there can be little question of the correctness of the course adopted. Dornbluth, the German psychologist, tells of a young woman who, in consequence of a fright occasioned by an attack of robbers, was seized with epilepsy, and became subject to somnambulism. While in that condition she was in the habit of stealing articles, and was charged with theft, but on the advice of Dornbluth was released and eventually cured. Steltzer (cited in Wharton and Stillé) gives an account of a somnambulist who clambered out of a garret window, descended into the next house, and killed a young girl who was asleep there. And the same learned writers quote from Savarin an account of a somnambulist monk (related to Savarin by the prior of the convent where the incident happened): "The somnambulist entered the chamber of the prior, his eyes were open but fixed, the light of two lamps made no impression upon him, his features were contracted, and he carried in his hand a large knife. Going straight to the bed, he had first the appearance of examining if the prior was there. He then struck three blows, which pierced the coverings, and even a mat which served the purpose of a mattress. In returning, his countenance was unbent, and was marked by an air of satisfaction. The next day the prior asked the somnambulist what he had dreamed of the preceding night, and he answered that he had dreamed that his mother had been killed by the prior, and that her ghost had appeared to him demanding vengeance; that at this sight he was so transported by rage that he had immediately run to stab the assassin of his mother." Savarin adds that if the prior had been killed the monk could not possibly, under these circumstances, have been punished. —*Legal News.*

TITLES.—The English Court of Appeal, according to the *Solicitor's Journal*, appears to be somewhat of the opinion of Sir Thomas Smith, who saith: "As for gentlemen, they be made good cheap in this kingdom; for whosoever studieth the laws of this realm * * * he shall be called master, and shall be taken for a gentleman." In the course of the hearing of a petition in lunacy for the appointment of new trustees on the 7th ult., one of the persons proposed as a new trustee was described as an "esquire," and one of the persons who made an affidavit of fitness was

described as a "gentleman." It was stated that the "esquire" was, in fact, a justice of the peace, and that the "gentleman" was a solicitor. Lord Justice Cotton said that though the legal description of a solicitor was "gentleman," that term was very indefinite, and ought not to be used. In such an affidavit a solicitor ought to be described as a "solicitor," in order that the court might know his real position in life. And the term "esquire" was even worse than that of "gentleman," for it conveyed no information whatever to the court. A man who was a justice of the peace should be described by that title.

ACTIONS FOR BREACH OF PROMISE OF MARRIAGE.—In charging the jury, in the breach of promise case of *Harwood v. Grace*, on the 15th inst., Dowse, B., said:—"The positions of a man and of a woman in relation to marriage were very different. As a poet and judge of human nature had said—

'Man's love is of man's life a thing apart,
'Tis woman's whole existence.'

He had lately read in a leading literary journal an article in favour of a bill now before Parliament. The writer said that actions for breach of promise of marriage only forced men to marry women they did not wish to marry. They did nothing of the kind. Men were at perfect liberty not to marry if they liked, even where they had made a promise, but they must pay for the operation of breaking their promises. He hoped he would never see the time when these actions would be abolished. They were the only protection young women had against the wiles of a sex that often took advantage of their weakness." —*Irish Law Times.*

The legal profession in a County Town North of Toronto, should petition to have the advertiser below called to the Bar at once. He would be a fit companion for, and give some new ideas to, the advertising portion of our profession. He thus advertises his "lines":—

"A CARD.—I notice that outside of my own legitimate conveyancing practice, a great many persons go to Barry, or Toronto, to get certain lines of conveyancing done, such as letters of administration, guardianship, etc., done. This extra expense is entirely unnecessary. I am constantly employed in every branch that appertains to the conveyancing practice; and in any particular case that the neighbouring practitioner does not see his way clearly into, let the party come to me and I will guarantee satisfaction."

Advocate to witness: "Did you come on your subpoena?" "No; I walked."