

Criminal Courts, have even held that, although the special limit of seven years have not elapsed, if it can be proved that the prisoners at the time of the second marriage honestly and *bonâ fide* believed, on fair and reasonable grounds, that the persons they were originally married to were then dead, in those cases also there ought to be an acquittal. On the other hand, some of the learned Judges have taken the opposite view, and say the statute is precise as to the seven years. Lord Justices Bramwell, Brett, and the late Mr. Justice Willes held this view, while Baron Martin, the late Baron Cleasby, and Lord Justice Amphlett and Mr. Justice Denman have held that there was no limit of years. In the present instance the defence attempted to show that the prisoner was deserted by his first wife in 1877; that he advertised in vain for her; that he went to places where he had traces of her, but never found her; that he begged her grown-up children, if ever they heard of her, to let him know, and that these children had invariably said they thought she was dead. Some other attempt was made to show that the prisoner thought his wife had died; but his Lordship said this part of the case was not sufficiently proved.

A long discussion took place as to whether the attempts made by the prisoner to find his first wife would afford any defence, as it was admitted that everything that had been done was told and known to the second wife before her marriage; and ultimately it was decided that the mere advertising and looking for the wife was not sufficient to raise the defence, though possibly the case might be reserved for further consideration, if necessary. In the result, however, a *Conviction* passed, and the prisoner was sentenced to a day's imprisonment.

**A SINGULAR ACTION OF DAMAGES.**—Actions of damages have many amusing features, but one of the quaintest cases of the kind is pending before the Imperial Royal Tribunal at Marburg. A commercial traveller sues the Sud-Bahn Company for injuries sustained by him in a railway collision. It appears that this traveller, at the very moment of the collision, was introducing a junk of Bologna sausage into his mouth on the point of a pen-knife, and the shock of the collision caused him to add to the natural width of that useful orifice by a slit

some two inches in extent. For this disfigurement he claims a large indemnity. The company, however, plead that "no decent person eats with his or her knife, and that the plaintiff, having hurt himself in the very act of committing a social delict, must bear the consequences of his offence."

A CURIOUS mode of evading an injunction was practiced in *Buenos Ayres Gas Co. v. Wilde*, Ch. Div. July 10, 1880, 42 L. T. (N. S.) 657. On motion for injunction to restrain defendant from publishing a certain cautionary advertisement, or any other of a like nature, as calculated to injure the plaintiff's business, the defendant undertook until the trial not to issue the advertisements. Defendant afterward published in a newspaper a notice of the hearing of the motion, and of his undertaking, which virtually repeated the caution. This was in large type, occupying half a page. The plaintiff moved to commit the defendant for contempt. The Court said: "It would have been well for Mr. Wilde to have abstained from further advertisements in the newspapers. Silence is the best obedience in such a case." But the argument of the plaintiff, that, having been ordered not to do a certain thing, the defendant was guilty of contempt in telling the world he was not at liberty to do it, did not prevail, and he was discharged.

**BREVITY AT THE BAR.**—"I found from experience, as well as theory, that the most essential part of speaking is to make yourself understood. For this purpose it is absolutely necessary that the court and jury should know as early as possible *de quâ re agitur*. It was my habit, therefore, to state in the simplest form that the truth and the case would admit the proposition of which I maintained the affirmative and the defendant's counsel the negative, and then, without reasoning upon them, the leading facts in support of my assertion. Thus it has often happened to me to open a cause in five minutes, which would have occupied a speaker at the bar of the present day from half an hour to three quarters of an hour or more."—*Lord Abinger (Scarlett)*.

**DIVORCE.**—In the courts of San Francisco, during the year 1879, three hundred and twenty-three divorces were granted. The commonest causes were cruelty and desertion.